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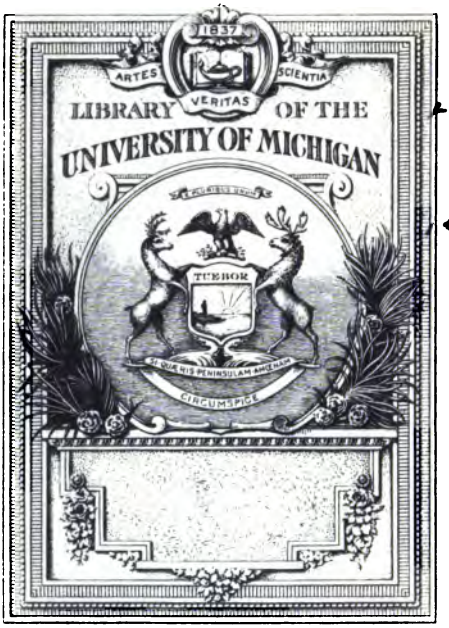
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For my dear sister Lady Mackay

F. P

TRUTHS AND FICTIONS OF THE MIDDLE AGES.

THE

MERCHANT AND THE FRIAR.

By SIR FRANCIS PALGRAVE, K.H.,

KEEPER OF THE RECORDS OF THE TREASURY OF HER MAJESTY'S EXCHEQUER.

O voi ch' avete gl' intelletti sani,
Mirate la dottrina che s'asconde
Sotto 'l velame degli versi strani.

LONDON:
JOHN W. PARKER, WEST STRAND.

M.DCCC.XXXVII.

London:
John W. Parker, St. Martin's Lane.

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TO

SIR ROBERT HARRY INGLIS, BART. M.P.

&c. &c. &c.

MY DEAR SIR ROBERT,

IT is with thankful satisfaction that I am permitted to inscribe this Work to you, as a very feeble testimony of respect and regard,—and I hope I may be permitted to add, of affection,—sentiments which have been continually increasing throughout the long period, rapidly approaching to a quarter of a century, wherein I have been honoured by your steady and dependable friendship.

You, who as well from the circumstance of wearing what has been termed "the blue riband of literature," as from some of your official employments, are so well acquainted with the aversion exhibited by the "trade"

to any work purporting to consist of ancient documents, or relating to archæological inquiries, will not be surprised at the difficulties which I encountered, before I could persuade any bibliopolist, in or out of the Row, to undertake a production possessing such slender attractions. Cœlebs in search of a wife, had not nearly so much trouble as I have had, in search of a publisher:—and no fair daughter of a Limehouse or Wapping *millionnaire* ever experienced a greater number of rebuffs when trying to be introduced at Almack's, than Friar Bacon sustained in his attempts to be brought out into the reading world.

In most cases the *declinals* were grounded upon reasons which were neither unkind nor uncomplimentary: for they were grounded upon the character acquired for me by my employments, of being a thorough-paced black-letter antiquary; and the sum of the objections was this:—"We

" can only deal as men of business. Any
" work exhibiting much research and de-
" tail, extracted from obsolete chronicles and
" musty records, never will please the public;
" and in point of fact, the chance of suc-
" cess of any publication connected with his-
" tory, is pretty nearly in an inverse propor-
" tion to the labour bestowed: the more
" flimsy the materials, the better the chance
" of sale.—Certainly there are some splendid
" exceptions, so obvious that it is unneces-
" sary to name them—yet, being only excep-
" tions, proving the general rule, they are not
" sufficient to encourage further ventures in
" the same hazardous career."—

It is obvious that the opinions condensed in the preceding paragraph, are not by any means applicable to the shape and form assumed by the manuscripts of the Monk of Croyland; but I could not dispel these notions, and I had to encounter them always as the motives of civil refusal, though occa-

sionally modified by individual views, as the two following examples, taken at hazard, will display.

But stop,—how shall I designate my two selected personages without a breach of professional confidence?—Letters of the alphabet are most exceptionable. *B.* or *C.*, or *L.* or *M.*, or any others, may, by the cunning aid of the Directory, be converted into personalities,—even *N.*, though it stands for *Nobody*, would hardly be safe in disclosures so delicate as these. Therefore I will adopt the innocent nomenclature of the civil law, and *Titius* and *Sempronius* shall serve my turn.

"I like some things which you have mentioned respecting the nature of the book," said Titius; "how big will it be?" "A small volume in duodecimo."—"But with the ample matter which you have in your possession, could you not contrive to make three good-sized octavos?"—"Quite

impossible," quoth your humble servant:—"the thing, whether wise or foolish, has a definite plan and intention, it has a beginning, middle, and ending. The Monk of Croyland, the original 'Toad in a Hole,' the Author, whoever he may be, sketched the whole before he put in the details; and if it were to be extended, the merit (if any) which it may possess, would be quite destroyed by want of proportion. You might as well attempt to make a giant out of me, by interpolating a triple allowance of vertebræ in my neck and backbone." "Well then," replied Titius, taking out his pencil,—"upon calculation, it won't pay.—Everything is done by advertising in the newspapers:—and it costs as much to advertise a book which sells for six shillings, as a book which will bear six-and-thirty, and therefore it will never suit me;"—an honest declaration, by which I felt myself so entirely put out of Court, that all I could do was to retreat with the utmost rapidity.

Sempronius was at first more gracious; he actually began the work, when he took fright at some piece of antiquity exhibited therein: and he objected to proceed, unless I would add explanatory notes, a proposition, which, having fully made up my mind upon the subject, I resolutely repudiated.—"The work," said I, "is either a true history or a fiction. If it be a true history, notes will unnecessarily increase its bulk: for it really contains nothing but what is entirely intelligible to the ordinary reader, or which he can find explained in other books of common occurrence: and I think that the plan of making every thing 'easy to the meanest capacity,' is as detrimental to the individual reader as it is to the general cause of literature.

"On the other hand, if you were to consider the book as a work of fiction, then explanatory notes are ten times worse. Explanation at once extinguishes all illusion.

Do you think it would be wise when the ecstasies, occasioned by the intellectual amusement of a *tableau vivant*, are at their height, to inform the welded mass of haut ton, or low ton,—for whatever Belgrave Square does, instantly circulates to Finsbury,—from whence Monna Lisa or the Chapeau de Paille borrowed each rag of their finery?—What true admirer of the drama ever goes behind the scenes?—Scott has exceedingly impaired the effect of his inimitable fictions, by the annotations appended to his last edition. Would that I could forget the 'Waverley,' in which every feature of Tully Veolan is, with such ill-judged honesty, restored to its right owner, and the crude materials of a topographical dictionary forced upon me, for the purpose of compelling me to be convinced that the Baron of Bradwardine and his manor-house are mere figments of the brain."

These and many similar arguments did I

urge upon Sempronius, but without any success.—Bookseller and Author held doggedly to their respective opinions; and as neither would yield, several sheets of the work, which had been kept in type for nearly a twelvemonth, were broken up, and the "Truths and Fictions of the Middle Ages" returned to the repose of their portfolio.

Believe me, this abandonment of notes was a hard trial of authorial principle. I have sacrificed both profit and pleasure.—I should have liked much to have added my mite to the architectural antiquities of the middle ages, by informing my reader that such allegorical representations of the Law and the Gospel, the true Vine, and the Day of Judgment, as were seen in King Edward's Council Chamber, (p. 247,) adorned the Cathedral of Rochester, and the Lieb Frauen Kirche at Treves, the Cloisters of Norwich the Chapter House at York, and the Stadt House at Nimeguen. The Rolls of Parlia-

ment would have furnished me with a curious quotation, a peg whereupon to append the painting of Solomon and Marcolphus. The derivation of the German word "*Brillen*," or *spectacles*, from the ancient application of the lenses formed, or supposed to be formed, out of the beryl, (p. 25,) affords a curious example of the caprices of etymology, which it was almost painful to forego. And the casual notice of the Cheetham manuscript of Aquinas (p. 115), would, by levying due contributions from Aikin's Manchester, and Baines' Lancashire, and the Charity Commissioners' Report, have given me good marketable stuff for half-a-dozen pages. Only think what I have lost by leaving out all the details how the Cheetham Hospital was founded at Manchester by Humphry Cheetham, Esq., of Clayton Hall, near Manchester, and of Turton Tower, near Bolton, "whose memory is embalmed in the grateful recollections of the people," and

incorporated by Charles II. (by charter, in which the founder is styled, "our trusty and well-beloved Humphry Cheetham,") for the maintenance of forty poor boys, out of the said Town and Parish of Manchester, to be taken in between six and ten years of age, and maintained, with meat, drink, lodging, and clothes, till the age of fourteen, when they are to be bound apprentices to some honest trade or calling at the charge of the said Cheetham Hospital; and how within the said Hospital, and by the bounty of Mr. Cheetham, is erected a very fine and spacious library, (now containing upwards of nineteen thousand volumes;) and how he settled 116*l.* a year on it for ever, to buy books, and support a librarian.

I can assure you that I shall be pounds out of pocket by my conscientious refusal, but so it is: and you have the work now before you as an *editio princeps*. Yet although note, explanation, and comment are

rigidly excluded, you may, nevertheless, think it expedient I should briefly indicate the sources from which the *schedæ* of the Monk of Croyland may be elucidated or confirmed.

I ought to blush, out of downright modesty, but I can't, try as much as I may, on informing you, that the portions of the monk's lucubrations relating to our parliamentary and legal constitution, receive most ample illustrations from the several collections of original records and other ancient documents which I have edited. At least to this extent, that the narrations of the Monk run on all fours, as lawyers say, with transactions of which we have more textual evidence; and, considering the losses which our historical records have sustained, that is surely as much as any reasonable archæologist could expect or desire.

Thus, for example, though when I collected the Parliamentary Writs, I did not discover the account of the escape of Sir

Richard de Pogeys; (p. 81;) I was, nevertheless, so fortunate as to find the return relating to the election of "Johannes de la Pole," who being elected to serve as knight of the shire for Oxford, 16th Ed. II. (Parliamentary Writs, vol. ii. Div. II., p. 273, No. 47,) evaded the process by seeking the protection of the "four hundreds and an half of Chiltern;" whilst his less fortunate colleague, Johannes de Harecourt, being within the grasp of the Sheriff, was constrained to give good bail for his due appearance in Parliament, in the persons of John Bokenore and John Bovetown.

In like manner an illegal return, exactly like that of Sir Marmaduke Vavasor (p. 85), took place in Lancashire,—for, as appears by the Rolls of the King's Bench, Michaelmas, 17 Edward II. m. 72, the Grand Jury of West Derby Wapentake, indicted Willielmus le Gentil, the Sheriff, "for that "in the 14th Edward II., he had returned

" Joseph de Haydock and Thomas de Thorn-
" ton as Knights of the Shire, without the
" assent of the County Court, and had levied
" twenty pounds for their expenses in at-
" tending the Parliament at Westminster,
" going and returning; whereas the County
" could by their own election have found
" two good and sufficient men, who would
" have gone to Parliament for ten marks or
" ten pounds; and that the Sheriff's Bailiffs
" levied as much for their own use as they
" had levied for the Knights." (Parliamentary Writs, vol. ii. p. 229, No. 32, and p. 315, No. 89.) A notable example of the ancient mode of Parliamentary jobbery.

If the publication of the Parliamentary Writs had been continued, the next volume would have contained the Patent exempting the Abbot of Oseney from Parliamentary attendance, (p. 74); but you may, however, read the case of the Abbot of Northampton (Parliamentary Writs, vol. ii. Div. ii. p. 199,

200, Nos. 47—50), who with much trouble obtained an order from the Chancery, that his name should be expunged from the Register upon which the writs of summons issued, a proceeding which was carefully exemplified by his Procurator, lest the malignant ill-wishers of the Abbot or his successors, should ever procure him to be summoned again.—
" Ad cujus billæ executionem Dominus
" Cancellarius cum suo consilio de Cancel-
" laria ordinavit quod nomen prædicti Abbatis
" a registro Cancellariæ deleretur, et ita,
" pluribus circumspectis, idem Abbas est
" absolutus. Sed quia idem Abbas vel ejus
" successores ad stimulationem aliquorum
" malivorum possent alias, per casum, irro-
" tulari et per consequens citari, prædictus
" Procurator dictam executionis formam prop-
" ter evidentiam in scripturam redegit."

But if I were to pursue this selection of *parallel* passages, I should probably try your patience, and certainly exhaust my own.—

Quoting one's own books is next worst to eating one's own words, and therefore, on this section, I shall say nothing more.

With respect to the chapter entitled "Guildhall," you may consult a ponderous blue book recently presented to your Honourable House by the command of his late Majesty, and which, without doubt, you will diligently peruse, when the Citizens of London, surrendering powers and privileges wholly inapplicable to our present advanced state of society, will with cheerful consistency receive from the Legislature that ample measure of Municipal Reform, which they have so earnestly advocated and required for the other Corporations of the Realm.

I refer you, however, to the said blue book, not as a brother reformer, but as a brother antiquary, and as affording you a succinct, and, I believe, accurate view of the transactions noticed in the Croyland manuscripts. It is true that in the blue-book you

will not find the memorable judgments given by the Court of Aldermen, in the cases of Rex *v.* Romford, and Rex *v.* Lickpenny, (p. 191—194.) I am, however, enabled to assure you, that in substance they are quite authentic: and if, when you next dine at Merchant Taylors' Hall, you will take the trouble to tarry in your way at the Town-Clerk's Office, and request the very obliging and intelligent officer who has the care of the archives, to produce to you the ancient register of the city, marked with the letter ℬ, you may, at folios 133 and 138, peruse the very records of two such trials. The names of the misdemeanants, however, are not the same as those given in my text, a variation which I am unwilling to attribute to any want of fidelity on the part of the Monk of Croyland; I would rather ascribe it to a most praiseworthy forbearance. By disclosing the real names of the culprits, he might, without in any wise adding to the

store of historical knowledge, have hurt the feelings of individuals it connected with their families:—an example worthy to be imitated in our times, in which a propensity to renovate ancient scandal for the purpose of gratifying malignant, or at least, idle curiosity, is but too frequently displayed.

When you pay such your visit to the civic muniment room, it will also be well worth your while to inspect the other volumes referred to by the Monk of Croyland, or his Editor.—The volume entitled "Liber de Antiquis legibus," contains an exceedingly valuable chronicle of the affairs of the city, with many notices of public transactions, and particularly relating to the civil or revolutionary wars between Henry III. and his Barons. These annals appear to have been compiled contemporaneously with the events which they narrate. As far as my experience extends, this history is unique; for, whilst we have many monastic chronicles, we do not possess

any similar *Fasti* of a lay community.—The *Liber Horne*, compiled by Andrew Horne, the author of our ancient legal text-book, the Mirror of Justices, and also kept in the Civic Archives, is a collection of a miscellaneous nature. In addition to several exceedingly curious records relating to the history and privileges of the City, many authentic texts of ancient statutes are therein contained, constituting altogether a singular monument of the diligence and research of a mediæval antiquary.

In this same "Liber Horne," p. 341, you will find the By-laws of the Painters' Guild, (p. 161,) which though bearing an earlier date than the ordinance made in the presence of Marco Polo, are interesting, as being exactly of the same import; and a portion thereof in the original Romance, but partially reduced into modern spelling, may be therefore compared with our text.—"Sachent tous genz qui cêt êcrit verront on orront, que ceux sont les

pourvoiances que les prud-hommes peintres de la peinterie de Londres, ont pourveu l'an du Regne du Roi Edward que Dieu garde fils du Roi Henri, onzieme, par assentement des bonnes gens du mêtier, et pour amendement et relevement du mêtier, et pour *fausines* (faussetés) et toutes manieres de guiles abattre * * *. Pourveu est, que nul ne mette *fors* (hormis) bonnes et fines couleurs sur or ou sur argent. C'est à savoir, bon azur, bon sinople, bon vert, bon vermillon, ou des autres bonnes couleurs destemprés d'huile, e nient de brasil, ne de inde de Baldas, ne de nul autre mauveise couleur."—You will observe from this extract, that the metallic or body colours are to be *tempered* or mixed with oil, and not, as has been alleged, varnished with that fluid, and that they are put in opposition to the brasil-wood and indigo probably used as water colours; and the last colour was called "*Indigo of Baldac*," in consequence, as may be presumed, of its being ex-

ported from or manufactured at that Egyptian town. From other portions of those by-laws, it can be collected that the principal occupation of the Guild consisted in painting heraldic bearings and ornaments. A bag of the Great Seal thus adorned is preserved in the ancient repository of which I am the unworthy Custos: and a true and faithful lithographic representation thereof is prefixed to my recent publication of the Kalendar of Records, compiled in 1323 by my honoured predecessor, Walter Stapleton, Bishop of Exeter, late Lord High Treasurer of England, and who, as you well know, was the munificent founder of Exeter College in your University.

Should opportunity be given, I may hereafter enter into a full view of the study of physical science in the middle ages.—On the present occasion it is sufficient to observe, that the general character of the philosophy taught by Roger Bacon, has been

given with singular felicity by our friend Forster, in his Mahometanism Unveiled. Bacon's printed works may also be consulted. They are neither high priced, nor difficult of acquisition, and the references to the principal passages to which the Croyland manuscript alludes, will be easily found in the writers who have treated on Bacon's discoveries. Of these, the passages relating to the composition of gunpowder are very generally known; but it has, I believe, hitherto escaped observation, that, as noticed in the "Merchant and Friar," (p. 303,) there are two other very remarkable examples of the possession of the same receipt, towards the conclusion of the thirteenth, and the beginning of the fourteenth centuries, and as they only exist in manuscript, I shall place them textually before you.

Of Brother Ferrarius, "Frater Ferrarius," or "Efferarius," who flourished in the thirteenth century, we know little else except

what appears by his designation, and that he is claimed as belonging to one of the northern provinces of the Spanish peninsula. He composed a Treatise on Alchemical Science, in two sections, addressed to a Pope whose name does not appear. It has been thrice published, first by Gratarolus in his Vera Alchemiæ Artisque Metallicæ Doctrina, (Basle, 1572, vol. ii. § iv.); next by Lazarus Zetzner, in his "Theatrum Chemicum," Strasburg, 1602, &c. (vol. iii. p. 136), and more completely by Combachius, also a collector of hermetical mysteries.—This essay does not contain any matter worthy of particular notice; but another of the works of Ferrarius, an inedited epistle addressed to one Anselm, preserved in the Bodleian (Digby MSS. 67,) is of very great importance in the history of science. Purporting to be translated from the Arabic into Latin, it contains a selection of eighty-eight "experiments," detailed with great clearness. The manu-

script appears to be of the age of Edward I. I think it is written by an English scribe; and it is possible that more exact or perfect copies may exist in continental libraries. Amongst these experiments are several receipts for making "Greek fire," and "Flying fire," the second of which contains the mode of compounding the nitrate powder, composed of one part of sulphur, two of charcoal of the wood of the willow or lime-tree, and six of saltpetre, to be very finely ground upon marble or porphyry. And the writer then proceeds, to describe minutely the pyrotechnic cases in which the powder is to be contained.

"Accipe partem unam, aut libram vel "unciam sulphuris vivi, duas libras carbonum "salicis sive tiliæ, et sex libras salis petrosi: "tere subtilissime in lapide marmoreo vel "porfirico. Postea pulvis ad libitum in "tunicâ reponatur volatili vel tonitrum "faciente. Notandum est quod tunica ad

" volandum longa debet esse et gracilis et " prædicto pulvere optime conculcato repleta; " tunica faciens tonitrum debet esse brevis " et grossa, et prædicto pulvere semiplena " et ab utraque extremitate filo fortissimo " bene clausa. Et nota quod in qualibet tunica " foramen parvum faciendum est, ad hoc, " quod *tenta* in illo reposita valeat illuminari; " *tenta* vero in ambabus extremitatibus debet " esse gracilis, in medio vero lata et prædicto " pulvere bene repleta. Nota etiam quod " duplex poteris facere tonitrum ac duplex " volatile instrumentum, videlicet, tunicam " subtiliter in tunica recludendo."—It is hardly necessary to observe, that the word "*tenta*," here used for the small roll containing the priming, is yet retained in our common chirurgical nomenclature.

Another of these receipts for an explosive powder, in the proportions of eight parts of saltpetre, two of sulphur, and one of charcoal, is found in a manuscript once forming part of

the Spelman Collection, and now possessed by Hudson Gurney, Esquire.—"De mixtione "pulveris ad faciendum le Crake. Primo "accipe quantitatem quantum volueris de "salpetro, et pondera eam per quatuor partes "equales. Deinde accipe unam partem ex "illis, et contra illam, pondera sulfurum "vivum. Deinde divide ipsum sulfurum "vivum in duas partes, et contra unam partem "ex illis duobus, pondera carbones de salice. "Omnibus istis aggregatis, fiat pulvis."—The handwriting of the Spelman receipt is either of the close of the reign of Edward I. or of the very beginning of that of his successor; and it is not unimportant to remark, that instead of being inserted in a regular treatise, it stands in a page of collectanea—traditional rhymes and proverbial sayings,—and, in all probability, is much older than the era when it was thus jotted down.

The Treatise of Ferrarius, as I have observed above, contains many receipts for the Greek fire; but the compositions which

he gives, all designated by the same name, are much diversified in nature and quality. Some of them, into which naphtha, resin, and similar materials enter largely, appear to have been used as projectiles; others are explosive, one of them being simply composed of twenty parts of saltpetre, eight of sulphur, and five of charcoal.

" Ad faciendum ignem Grecum. Accipe " pondus xx d' de salso petro, et pondus viii " d' de sulfure vivo, et pondus v d' de car- " bone saligno, et mola omnia ista similiter " ad pulverem, et de illo pulvere fac quod " tibi placuerit."

May it not therefore be questioned whether the term *le Crake* in the Spelman receipt should not rather be read as a corruption of "*le Grek*," or "*le feu Grek*," than as a word designating the *crack*, the effect or sound of the explosion?—Hindostan seems to have produced the invention of the "nitrate powder," but it remains to be ascertained to which of the races who have peopled

her soil, the discovery belongs. Thence it was acquired, either primarily or derivatively, by the Chinese, the Tartar, the Arab, and the Greek, all distinguished, either by mental acuteness or by warlike spirit, or by both these qualities. And if any one of these nations had been enabled to use the simple process of converting the powder into the grain, the people so acquiring the knowledge, would have obtained exactly the same predominance in the middle ages, which the modern European now exercises over the rest of mankind.

. . . . . .

The manuscripts of the Monk of Croyland, the "Toad in a hole," were first transcribed for the press from the very illegible original, in the year 1833. The causes by which their publication has been hitherto prevented, have been already explained; but, as an Editor, I have great reason not to grudge the delay. I allude to the advantages which I have derived from the recent

appearance of a work combining the imagination of the poet with the precision of the mathematician, and perhaps, containing more materials for thinking than any other of the present day. The "History of the Inductive Sciences," has afforded to me many important elucidations concerning the progress of knowledge, and suggested many reflections with respect to the science of the mediæval period in particular, which, whilst these "Truths and Fictions" were passing through the press, have interwoven themselves into the parent text. Indeed, if I were asked the question, I should have some difficulty in ascertaining the precise point where the Merchant and the Friar dissolve into air, and are succeeded by the individual, who, with the most sincere wishes for your happiness, bids you, for the present, farewell.

FRANCIS PALGRAVE.

Record Office of the Treasury
of Her Majesty's Exchequer,
13 July, 1837.

TRUTHS AND FICTIONS

OF THE

MIDDLE AGES.

THE

MERCHANT AND THE FRIAR.

Chapter I.

THE REFECTORY.

In the present age, when locomotion has been so wonderfully facilitated, and the means of communicating, not only between the various districts of the same country, but even to and from the most distant regions, are so greatly multiplied,—we scarcely understand how we should feel and be circumstanced, were we to lose those connecting links of human society, the steam-boat, the chaise, the stage, the post-horse, and the mail. It is true, that the very oldest is of recent origin, hardly known to our grandsires: and yet, a considerable effort is required before we can fix our attention upon our ancient English policy, so as to obtain a definite idea of the scanty share of foreign intelligence,

which, in the early part of the fourteenth century, and according to ordinary haps and chances, could reach an inland town.

With the exception of the concise and jejune letters, which passed amongst official functionaries upon matters of great importance, or were extorted, as it were, by urgent necessity, epistolary correspondence can hardly be said to have existed. Various causes concurred in producing this effect. So few persons among the laity were acquainted with the art of writing, that the science itself acquired the name of 'clergy.' The term 'clerk' became equivalent to 'penman;' and our common nomenclature still bears testimony to the lack-learning of ancient times.

A singular, though by no means unaccountable, prejudice prevailed against the use of our vernacular dialect, in any composition which was to possess a character of dignity or gentility. Amongst the higher classes, the English, considered as a written language, was wholly banished from the business of common life. And if a Northumbrian baron wished to inform his spouse in Yorkshire of his joys or his sorrows, his weal or his wo, the message, noted down from 'Romance' into Latin by the Chaplain

of the Knight, was read from the Latin into 'Romance' by the Chaplain of the Lady; both the principals being equally ignorant of the tongue in which their anxieties and sentiments were clothed or concealed.

I have said, that the prejudice against the literary employment of the ordinary language of the country, was not unaccountable. The source from which this opinion or feeling arose, must be sought in the political state of the European commonwealth.

In almost all the states of Western Christendom, the aristocracy and the people still represented two distinct, and anciently, hostile races; victors and vanquished, master and slave. Mitigated as the effects of remote conquests had been by the doctrines of Christianity, these two great masses stood almost in the same relative position as the Moslem and the Rayah; and the noble-born were the more anxious to retain whatever badges could sever them from the villain, to whom king, priest, and soldier owed their daily subsistence, and yet, with whose very name, they harshly associated every base and degrading idea.

That they should therefore, as far as was possible,

avoid using the language of the *roturier*, the *rupturarius*, the churl who *broke* and tilled the soil, was a necessary consequence of this pride of caste. Pride knows no pain: and thus were the higher classes reconciled to the inconveniences, and even dangers, to which they were exposed by the intervention of a dragoman, who encumbered every transaction, and to whom every secret was necessarily revealed.

But our catalogue of the difficulties attending correspondence in the "early part of the fourteenth century" is by no means concluded: and, tedious as the detail may be, you, Reader, must listen with patience to the overture, before I raise the curtain, and allow the performance to begin.

Had the knowledge of writing been much more common, still, the want of any convenient and portable material would have imposed a very great check upon epistolary communication. The manufacture of the Egyptian reed had lingered long subsequently to the fall of the Roman empire: but after the use of the papyrus was abandoned, a considerable interval elapsed before it was replaced, at least in the northern parts of Europe, by cotton or linen paper. And the writer, instead of taking an

ample sheet from the quires contained in his well-stored desk, or portfolio, was enforced to compress his missive within the scanty bounds of the strip of solid vellum, the fragment perhaps of some ancient tome, from which the learning of Varro or the wit of Terence had been effaced: or the shred or remnant, carefully preserved, of the membrane which had been used for the engrossment of some charter.

Well, Reader, do you expect that I am now going to begin my story? By no means.—Have patience, and more patience:—the personages are all ready upon the stage, but they shall not yet be brought before you.

Suppose the letter completed, the parchment carefully folded, encompassed with its silken bands, and sealed with the mastic seal which covered three-fourths of its surface, how was this same letter to be despatched? Instead of availing yourself of the certain cycle of the post, regular in departure as the recurring eve, and true in its arrival as the morning sun, you were compelled either to transmit your letter by a special messenger, or to intrust it to any individual who chanced to travel towards the place of address, the knight returning to his

castle, the merchant prosecuting his dealings, the priest soliciting his benefice, any person who, for love or money, might be induced to take the letter in his charge. And slow and tardy were the modes of communication so expensively and irregularly obtained. Upon the best estafetted road, the road to Rome, nearly three months necessarily elapsed before the pilgrim, quitting the shrine of Saint Thomas at Canterbury, could reach the portals of the Vatican.

Thus much for ancient correspondence: but my story cannot yet begin. Reader,—you must submit to another delay: I cannot yet show you the scene; the 'inland town' noticed, but not named, in my first paragraph, until you are fully aware how little cosmographical information was possessed by its residents.

Amongst the many remarkable facts which attest the absence of any self-impelling power in human knowledge, we may reckon the incapacity of the Greeks or Romans to produce a neat or intelligible map or chart. Hands guiding the chisel which could invest the marble with the most consummate beauty, the taste and skill which planned and executed the most symmetrical and sumptuous

edifices, enabled them not to execute this easy task. The deficiency was not the result of ignorance. Patient observation supplied the place of those instruments which aid the modern astronomer. In the tables constructed by Ptolemy, we can, even now, distinguish the principal capes and bays in our British islands; and the lines and circles which connect and divide the earth and the heavens have been transmitted to us from the classical age. And yet the idea, apparently so obvious, of marking the points of latitude and longitude upon the *pinax*, with proportionate accuracy, and in their proper position within the degrees, and zones, and parallels of the globe, never occurred to the countrymen of Euclid and Archimedes. To speak more reverently and truly, the idea was never permitted to occur to them; and their geographical delineations were as slovenly and rude as those of the Hindoos of the present day.

The geographical knowledge of the middle ages, so far as it could be collected from books, consisted in little else than scanty extracts from the meagre pages of Pliny and Solinus. But, had the inhabitants of our old English 'inland town' possessed

much more perfect descriptions of the world, there are some most important branches of information, concerning which no language, however clear and accurate, can convey a precise notion. Words never can impart a definite idea of shape, of form, of relative position, and relative size.

The terrestrial sphere, as portrayed in the "early part of the fourteenth century," consists of a circular projection, in the exact centre of which appears Jerusalem, the Temple being likewise represented in the exact centre of the City, bearing about the same proportion to the rest of the world, that the axle does to the felly of the cart-wheel. On the outermost verge is the flowing ocean, surrounding, with Homeric accuracy, the whole domicile of mankind. The regions more familiarly known, 'Normannia,' 'Pictavia,' 'Gallicia,' 'Arragonia,' 'Lombardia,' 'Tuscia,' 'Apulia,' and the like, are pointed out by towers and castles, bearing the emblazoned banners of their sovereigns. You will not, however, be enabled to discern the collective names, as strange to the politics as to the geography of the middle ages, of a France, extending from the Channel to the Mediterranean, of Germany, Italy, or Spain. Beyond the countries on the verge of

Christendom, nought is found but camels and ostriches, elephants and tigers, manticoras and hippocentaurs, whose representations, by covering the unknown regions in which they are placed, amuse the spectator, and excuse the ignorance of the artist.

The lucid idea which an accurate map pours at one view into the mind, through the medium of the eye, was thus wholly wanting; and when the best-instructed individual attempted to fix his thoughts upon foreign parts, they wandered in vagueness and uncertainty.

The form and position of the various portions of the globe, the shape of the continent, the outline of the gulf, the boundary of the kingdom, the locality of the city, the course of the river, the bearing of the mountain,—now familiar almost to the child in the nursery, were then all enveloped in mystery, darkness, and confusion.

The distant regions of Asia, the primeval seats of the human race, always objects of curiosity and interest, were, about the period to which our legend relates, the sources of great, and by no means ill-founded, anxiety. Europe had been repeatedly desolated, in earlier ages, by the barbaric tribes, the

Alans, the Huns, the Vandals, who, pouring down from Caucasus, spread themselves like a devouring flood over its devastated realms. These hosts had passed away. The rocky sepulchre was pointed out by the Saxon peasant as the resting-place of the Hun; and the cottage-mother in Champagne scared or amused her babe by the tale of the devouring Ogre. But such, were all the memorials of Attila's deeds in Germany and in Gaul: whilst in Hungary, the descendants of the fierce opponents of Charlemagne had settled into a flourishing and civilized Christian kingdom, retaining somewhat of Asiatic splendour and sentiment, imbued with the delusive spirit of European chivalry.

But now, all the earlier terrors were renewed. Wider in extent than any dominion which had yet existed on the face of the globe, the empire of the Monguls and their kindred tribes, extended from the Danube to the Pacific Ocean,—from the sunny banks of the Tigris to the icy cliffs of the Lena. The Tartar shaft appeared to sway the destinies of every race and country: the Arab yielded to a fiercer nomade: the proud Czars of Muscovy ruled only as tributaries to the 'Golden Horde:' the Mahometan Mameluke, the Palatine of Poland,

and the Sclavonian Boyard, all owned the supremacy of the Khan: and the most ancient and most opulent empire then existing, Cathay, or China, had become the spoil of the haughty Kublai, the Lord of lords and King of kings. Vast as the territories were which the Tartars had subjugated, their acquisitions were, according to their own boast, only the basis of greater victories. Universal empire was claimed by them: and they avowed their purpose of extinguishing all other dominions, which, as they asserted, continued only to exist by their forbearance and mercy.

Reading the lessons of experience, taking the past as affording the means of calculating the probabilities of the future, the least timorous and most reflecting might well anticipate, that the threats of these Barbarians would be fulfilled. There appeared to be but one hope of averting the ruin of the European commonwealth, and that was afforded, not by human means, but by religion.

The greater portion of the Tartar tribes professed a singular species of Pantheism, respecting all creeds, attached to none. Kublai not only tolerated, but supported and encouraged, the worship of the Jew, the Christian, the Mahometan,

and the Hindoo. Other of the Tartar Khans and Sultans were the children of Georgian or Armenian mothers: and their liberality, their prepossessions, or their indifference, seemed to afford a hope that they might be induced to become converts to Christianity, and thus to sheathe the sword which they had drawn. Hence, various missions of monks and friars, had been despatched across the Tanais, and beyond the Volga; some by the Apostolic See, and others by Saint Louis. If their accounts were to be credited, there was reason to hope that their endeavours would be successful. This belief was further supported by the arrival from time to time of various Tartar legations: and in particular, a brace of grim, shaggy, swarthy personages, calling themselves Embassadors from a Khan, had even presented themselves at the Council of the Church at Lyons, and subsequently at the court of the French king.

It is true, that shrewd suspicions were entertained respecting the credentials of these well-furred and awful plenipotentiaries. But the same prudent reasons which induced the citizen-legislators of the National Convention to avoid any very rigid scrutiny into the birth and parentage of the 'députés du

genre humain,' when Anacharsis Clootz conducted them to the bar of that august assembly, probably operated equally upon the fathers of the Church and the ministry of Philip the Bold. The mummery, as many supposed it to be, was allowed to produce its full effects upon the public mind. And at such a juncture, it may easily be understood how great a *sensation*, to use the modern term, would be excited in the Abbey of Abingdon, when its inmates were informed by the Sacristan, that a party of travellers from Cathay had just arrived at the town.

Kindness and hospitality, no less than curiosity, instantly determined the Abbot to request that the wayfarers would be pleased to partake of the conventual hospitality: and the message was courteously conveyed by the Sacristan to the Saracen's Head, where the strangers had alighted, though not to rest or repose. He found them in the yard, where they were absolutely beset by the townsmen, townswomen, and townschildren: some diligently comparing the countenance of the chief personage of the group with the sign, and conjecturing, from the strong resemblance between him and the bearded effigy, that he was a spy from

Bagdad; others listening with eager anxiety to the discourse of the strangers amongst themselves; others touching their silken garments. Meanwhile, the junior population of Abingdon, found ample delight and amusement in scrambling for the dates, almonds, and pistachio-nuts, which the good-humoured foreigners dispersed with a liberal hand.

Thus circumstanced, the Abbot's invitation was readily accepted by the strangers, who were most happy to escape from the noise and throng of the hostelry. In half an hour, therefore, the whole party, masters and serving-men, vallets and varlets, sumpter-mules and saddle-horses. And, neither last nor least in the sight and estimation of the by-standers, their sacks, manteaux, and valises, secured with many a bright steel lock, and tightly bound by many a whang and thong deeply indented in their bulging sides, were safely deposited within the precincts of the abbey.

"Welcome, Sirs;"—exclaimed the Abbot, as he advanced to the Pilgrims when they ascended the dais of the refectory;—"and what is the last best news from Benamarin and Garbo? We are anxious to learn some fresh intelligence, for, as appears by our chronicle sheet, we have had none since just

about the battle of Evesham, when we heard how king Muley Almanzor had been discomfited by the Miramamolin. And how stand matters at Constantinople? And how are the affairs of the Emperor Alexis and his Griffons going on?"

"We have one of their eggs, set in silver, in our garderobe;"—exclaimed John Vinesaulf, the cellarer;—"please your Seignories, as soon as dinner is served up, it will be filled for each and every of you, with the best wine of Gascony."

"Hold your peace, you ignorant dolt,"—replied the Abbot, zealous for the credit of the intellectual cultivation of his establishment; "ye ought to be soundly whipped at our grammar-school: the Griffons, of whom I speak, are not beasts, but human creatures—*Greeks*, you jackanapes, who are called *Griffons* wherever Romance is spoken. But as for our griffon's egg, it is, in truth, a rare curiosity. We purchased it for twenty marks from Leo the Erminian merchant, a trusty and honest man, and not a pestilent schismatic like the Syrians, who took it out of the nest at the peril of his life, for, had he not escaped, and he had just time to escape, before the return of the griffoness, she would have torn him asunder. When we first had it, Sirs, this

griffon's egg was covered with coarse brown hair, exactly of the colour of the parent bird, as ye may see her portrayed from the life in the 'Speculum Naturale' of Master Vincent of Beauvais; but when we sawed it asunder, different from all other eggs, it lacked a yolk. Your griffon's egg is hollow, the centre being partly filled with a milky fluid, whilst the white of the egg, which adheres closely to the shell, is sweeter than the almond."

The worthy Abbot's dissertation upon the griffon's egg, was interrupted by that Pilgrim who was evidently the leader of the party. So much was his complexion darkened by the sun, that observers, who, like those in the inn-yard, were little accustomed to the varieties of the human species, might readily have supposed him to be a Moor. But to those of greater experience,—and the Abbot was more conversant with outlandish strangers,—his regular features, and a few shades of auburn, still visible amongst his gray hairs, betrayed his European origin. This person had been listening, with much smiling deference, to the account of the griffon's egg. And as the Abbot, by displaying his own sound information and correct knowledge of zoology, had nearly worked off his anger and shame

at the Cellarer's ignorance, the Pilgrim completed the amnesty by complimenting the Abbot upon his learning, adding,—"And your reverence need not be much surprised at the error of good Master Vinesaulf, since in my own country there are many, I believe, who might be apt to suppose that the 'Gran Cane' of the Tartars, from whose empire I have lately returned, is really and truly a hound: not in his avowed and acknowledged quality of a heathen, but as being actually the animal designated by the word into which his title of 'Chagan'—for this, please your worships, is the real term in the Mongul language—is corrupted in our vulgar tongue."

The appearance of the Reader in the pulpit, which jutted forth from the wall of the refectory, gave notice to the company that the meal was about to begin. The servitors, lay-brethren of the monastery, advanced, bearing the dishes, and chanting an anthem; and grace was followed by the recitation of an homily repeated by the Monk first mentioned, and to whom this task was assigned. In many of the persons present, such devotional exercises had probably become only an habitual form: but even as a mere ceremony, the

practice of invoking the blessing of the Giver of all good before we partake of His bounty, is infinitely preferable to the usage of shrinking from the mention of His holy name.

The Pilgrim's acknowledgment, that he was actually a courtier of Kublai Khan, rendered him what in common parlance is termed the 'lion' of the party, and innumerable were the questions, discreet and indiscreet, wise and foolish, with which he was assailed. But not only had he explored the continent of Asia, he had visited many of the islands of the Indian seas; and though the frank acknowledgment that he had never met with men whose heads grew beneath their shoulders, was evidently a balk, creating a certain degree of disappointment, still the circumstance of his having really been amongst the Anthropophagi in Sumatra, was considered almost as a full compensation by the greater part of the auditory. Few topics, however, excited more attention, than the Pilgrim's description of the genial temperature and the luxuriant productions of 'Ynde la Majeure.' A country in which that high-prized, rare, and valued delicacy, seen only on the tables of the great, ginger, actually grew in the very fields, seemed as

an earthly paradise. Still more delight was excited by the accounts of perpetual spring; the trees constantly covered with foliage; the gardens never destitute of fruit; the earth covered by perennial flowers.

"Your tale, Sir Pilgrim,"—said the Abbot; "reminds me of a marvellous matter which occurred not long since at Cologne. I have it from the best authority, from Guillemart le Losengier, the minstrel of Lisle, one of the best Trouveurs north of the Loire. Ye all have heard of Albert the Great, he to whom every secret of art and nature was unfolded."

"Well did I know him," answered a gray Friar, who had hitherto continued silent, having employed himself wholly in listening with steady attention to the discourse.—"Albert wrote so many books, that it was said he might have been burnt on a pile composed solely of his own works."

"Would that he had been so consumed for a vile necromancer!"—exclaimed a portly personage, whose scarlet hood denoted his Oxford degree, and who, in fact, was Master Nicholas de Marnham, the Vice-Chancellor of the University. "It is high time,"—continued he,—addressing the Friar with bitter

asperity, "that my Lord of Canterbury should take cognizance of those caitiffs, who, protecting themselves by the habit of St. Francis;" pronouncing these last words with much emphasis, and pointing at the Friar's cowl; "act as traitors under this disguise; and with the specious excuse of pursuing the study of philosophy, practise the accursed arts of magic. Recreants, pretending to employ their knowledge for the benefit of the Church, and proposing what they call a reformation; a reformation, forsooth, a deformation, in fact, which will lead to the destruction of the faith and the ruin of the hierarchy."

"Think not, that I flinch from the charge of professing myself a reformer," replied the Friar, with great energy. "In my letter to the Holy Father, I have boldly shown, it is true, that a reformation is imperatively needed—but of what—why,—of the calendar? For, by following the rules of computation now erroneously observed in the Church of England, we place the equinox about eight days after the real time, in consequence of which mistake we frequently celebrate the Paschal festival, when the proper period has long since passed away. Why and how do I advocate the

correction of this error, introduced by ignorance, and continued,—shall I say venerated,—by obstinacy and sloth? Assuredly it is the spirit of the observance which sanctifies the commemoration of our Lord's resurrection, and not the astronomical precision of the hour. But, Sirs, ye know that we *profess* to keep our Easter on the new moon next after the vernal equinox; and we maintain that we are in the right, when we are absolutely in the wrong.

"I believe the point to be entirely indifferent; but we render it of vital importance by our pertinacity in attempting to advocate that which cannot be supported. And though the matter be not worth contention, we ruin our clerical character by fighting for the wrong side of the question. By our miscalculations, we, Christians, expose ourselves to the ridicule of the infidel philosophers: whilst it is our bounden duty to employ, in advancing the doctrine of the Gospel, all the talents which the Lord has bestowed upon us. The Jew, the Moor, the Saracen, all scoff at our inveterate stolidity. By opening Albumasar, they convict us beyond the possibility of escape. We cannot, if we wished to do so, keep this knowledge from our flock; and when they become aware of

our obstinacy, they will deride us, and extend that derision to the doctrines which we all, I trust and believe, equally and earnestly desire to defend. It is for the purpose of protecting the faith against scoffers, as I have fully explained in my letter to the Pope, that I am so anxious to stop the cavils of our common enemies. Let us defeat them by their own weapons upon their own ground."

The Vice-Chancellor, whose naturally, or, to speak more correctly, not naturally rubicund countenance, had acquired a more intense glow from anger, now stood up, and, doubling his fist at his antagonist, was preparing to reply. But the Pilgrim, who had exchanged a whisper with the Friar, interposed, and stating that he was desirous of hearing more concerning Albertus Magnus, expressed a wish that the Abbot would resume the tale which had been interrupted by this unhappy controversy.

"Were I the Mayor of Oxford, Master Vice-Chancellor,"—quoth the Abbot, making a sign at the same time to the cellarer to hand the griffon's egg to the personage whom he addressed,—"despite of your privileges, your maces, and your charters, I would give you a syllogism in Bocardo,

which should cool you in the gatehouse, with bolts at your heels for a month. It is a shame thus to disturb good fellowship: but a truce to quarrels, empty the egg before it passes to his Seignory;" (the Vice-Chancellor obeyed.) "And now for our minstrel's story.

"When the Emperor came to Cologne, Albertus, with great humility, prayed the honour of his company, promising to entertain the whole imperial retinue to the best of his poor means. Much did they expect from Albert's lore, nor were they disappointed. Every chamber exhibited new marvels. The first contained a costly cabinet filled with precious stones of mystic virtue. Here was the hæmatite, which stanches the welling gore, the many-coloured cameo, which alleviates the pains of child-birth, the beryl, which restores vision to the blind. Though young, the sight of the Emperor is most imperfect: were a choir-book, written in the largest text, open before him on the desk, he could scarcely read a word. He could not distinguish the features of the Empress, were she sitting on the other side of this table.

"Albertus gave the beryl to the Emperor, and desired him to apply it to his eye; and how sur-

prising was the effect produced by the occult power! The clouds which dimmed his sight were instantly dispelled; and whilst he gazed through the wondrous gem, every object appeared distinct, clear, and bright as the day."

"Was the *shape* of the beryl described to you by the minstrel?" inquired the Friar with some eagerness.

"Yes, and accurately, for he was allowed to take the gem in his hand. It was circular, and slightly hollowed on both sides—so slightly, that the spherical concavity was scarcely perceptible to the touch. But, of course, the *shape* was merely an accident, of no importance whatever. The assistance which the beryl affords to the sight arises wholly from the occult power, the *essential virtue* of the stone: is it not so, Friar?"

The Friar did not answer the question, he gave no opinion upon the subject; he merely observed,—"Brother Albert is an apt scholar, and I conjecture that the section, entitled 'De Perspectiva,' contained in a certain treatise written not long since by a brother of our order, who shall be nameless, has reached his study. On this occasion, your friend the minstrel hath refrained from

poetic inventions; but pray proceed with your story."

"In the next chamber,"—continued the Abbot, "were contrivances which surpassed the skill of the fabled Dædalus. An eagle of brass flew down from the portal, and placed a crown on the head of the Emperor. The imperial bird then soared again to the place whence it had descended. And a bee, formed wholly of steel, made three circles in the air round the company, buzzing all the while, and then alighted upon the Emperor's hand."

"A story loses nothing in telling,"—said the Friar with a slight smile, "especially if it pass through the mouth of a poet, a minstrel ballad-monger. I learned from one of our brethren, who afterwards visited the learned Albert, that the brazen eagle merely flapped its wings upon its perch, and that the bee of steel, instead of describing three circles in the air, ran three times upon its belly round the silver salver."

The Abbot, much as he evidently respected the Friar, could not brook the contradiction. He was crossed and vexed by these corrections. Guillemart le Losengier, a good man and true, as he did not scruple to say, had affirmed that he had seen the

flight of the eagle and of the bee with his own eyes.

In a lower voice, approaching to a whisper, addressed to his immediate neighbours, the Abbot made further remarks. Something might be heard about scientific envy and rivalry, and that the same spirit of detraction which induced the mere workman to carp at his rival in trade, was equally prevalent among philosophers, who, devoted to higher pursuits, should learn the practical lesson of soaring above such ignoble feelings. Little as the Friar really deserved such a reproof, he felt that, by endeavouring to put his host in the right, he had put himself in the wrong. The good folks who surrounded the table loved a marvel, or, in other words, they loved their own opinions, they were provoked at being undeceived. The Friar made no reply, and the Abbot continued his tale.

" At the end of the second chamber was a small door, which Albertus opened slowly and cautiously. It discovered a low passage of rather considerable length, into which he introduced the Emperor and the imperial retinue. The door was then closed, and Albertus informed them that their entertainment would be heightened if they would submit

to be blindfolded, with which request they willingly complied. The door was heard to open. Each, with his eyes covered by a kerchief, paced along, directed, gently and carefully, by the hand and voice of their host, the Emperor taking the lead, and they felt that a very few footsteps had conducted them out of the gallery. But when, at the command of Albertus, they simultaneously removed the coverings from their eyes, they ascertained, to their inexpressible surprise, that these few footsteps had conveyed them at once to such a climate as you, Sir Pilgrim, were only enabled to reach by a toilsome journey of months, perhaps of years.

"Without, the cold of the season was so intense, that the mighty Rhine was fettered by the frost, and laden wagons could pass from shore to shore. Yet, what did the spectators behold? Above and around them hung the grape in the most luxuriant clusters. Tuscany never produced such a vintage. The clear and translucent fruit of these enchanted vines, possessed a beauty which nature never could bestow. On either side of the path which led through the bower, grew the fairest flowers of the summer,—the rose, the honeysuckle, the jasmine, in the brightest bloom, and diffusing

the sweetest odours through an atmosphere pervaded by genial and dewy warmth, and reposing in undisturbed tranquillity."

"And what took place next?" quoth the Pilgrim.

"A right merry jest. The magician—I beg pardon, brother Roger,—the Friar, now gave to the Emperor, and to each of his nobles, a golden knife, and directed each man to choose himself a bunch of grapes, but to be very careful not to cut the bunch till he gave the signal. The Emperor selected his bunch, so did the Duke of Brunswick, the Count Palatine of the Rhine, and all the rest; and then lifting up their hands, they only awaited the word of command before they should sever the clusters from the parent stems. Albertus struck the ground with his wand—the charm was dispelled—and the Emperor and all the company perceived that, under the influence of the magical delusion, each, thinking that he held a bunch of grapes, had, in fact, seized his own nose, which he infallibly would have amputated without mercy, had not the glamour been dispelled."

At this conclusion of the tale, all the guests laughed aloud, and expressed equal credence and

delight. The Friar did not join in the merriment, though he was evidently amused; and from the cast of his countenance you might see that the words were on the tip of his tongue; but, warned by the rebuff which he had before experienced, he compressed his thin lips and held his peace.

"Albert did good service to the Emperor by supplying his treasury," resumed the Abbot.—"It is said that Frederick sent him the vesper-bell which hung in the chapel at the Imperial Palace of Gellenhausen, and that Albert returned an equal weight in gold."

"I have seen a far greater marvel in Cathay," replied the Pilgrim, "for my lord and master—I honour him still as such,—Kublai Khan, with more than chemical skill, can turn paper into gold at his sovereign will and pleasure."

"Paper turned into gold!"—was the universal exclamation of the company, the Friar himself appearing to participate in the general surprise.

"Even so; paper turned into gold. Throughout the vast dominions of Kublai Khan, the currency consists, almost wholly, of paper-money. The paper, used in Cathay, is made from the bark of the mulberry-tree. This paper is cut into pieces

of a convenient size. Each piece is in the shape of a parallelogram, rectangular, but longer than it is wide; and, thereupon, by means of small slabs of wood, properly carved and covered with a pigment, they print certain lines and characters, each of which expresses a word.

"The coinage, if I may so call the process by which the paper-money acquires its value, is performed with much precaution and ceremony. Certain officers, appointed for that purpose, subscribe their names and affix their signets; and, lastly, the principal, who is especially deputed by the Khan, adds a stamp, expressing his name and titles, and which, dipped into vermilion, leaves his mark. This process authenticates the document; and it passes throughout the whole empire. But I might have spared you this lengthened description by bringing the object before your eyes, for I have one about me.

"Here," continued the Pilgrim, opening a splendid purse of yellow silk, upon which was expanded the five-clawed dragon, "is a specimen of Kublai's money. The piece of paper, which I hold in my hand, will be received in any part or province of Cathay for ten bezaunts. There are others of lower denominations, the smallest being equal to a groat sterling."

"The characters printed or impressed upon the face of the paper are numerous,"—said the Friar.—"It might, in fact, be a page of a book."

"Ay, and a very important page,"—replied the Pilgrim, "for these columns of characters contain a chapter extracted from the criminal code of Cathay, an edict enacted by Kublai, declaring that the offender who counterfeits the note is to be punished by death."

"But the value of this paper-money is merely ideal. Can such a rag, be accepted even by those heathen infidels, those ignorant votaries of Mahommed and Tarmagaunt, as readily as gold or silver, durable metals of intrinsic value?—What use would it be to my Lord the King, if, upon my return to the Treasury at Westminster, I were, instead of emptying the bag of sterlings on the chequered cloth before the Chancellor, to present him with a handful of these paper leaves, saying,—'My Lord, here are the proceeds of the talliage of the county of Berks for the service of his Serenity.'—In good troth, the staff of the Usher would soon come in contact with my shoulders."—Thus spake a lean-visaged, crabbed-looking personage, who sat at the upper end of the table, and who was treated by the

Abbot, as well as by the Mayor of the Borough, in such a manner as to show that they were equally anxious to display their deference and to conceal their antipathy.

"You shall be satisfied, Friend,"—answered the Pilgrim. "The note is virtually money, for it buys money's worth, as well as the purest coin. Every individual within the dominions of Kublai receives the Khan's paper-money without the slightest hesitation or difficulty. Whatever merchandise you need, can be purchased by Kublai's tokens, which on all occasions represent the sums denoted by them. The vendor never doubts their worth, and you may, merely by this paper, obtain the most valuable articles: pearls, rubies, gems of every sort, or the precious metals themselves, gold and silver, if you require them; but for the latter, it is more usual to apply at Kublai's mint, where you may receive the value of your note in bullion. The fact, however, is, that Kublai's paper-money is worth even more than gold. If these notes become damaged by use, and you will observe that the paper upon which the characters are printed is very thin, the holder carries them to the mint, where, upon payment of what, in my own country, merchants call an agio, after the rate of three in

the hundred, he receives new notes in exchange: and, on account of the greater convenience of the paper, this slight premium is willingly paid."

"Very different from your Exchequer tallies, Master Griffe-de-Loup,"—exclaimed John Goodchilde, the Mayor of the Borough. "In payment for five good bales of broadcloth, twenty quintals of wax, fifty fat hogs, and one hundred barrels of ale, supplied to our Sovereign Lord the King, for the use of his Household, and amounting to fourscore marks, I received forty sticks duly notched, which, as I was told, would be duly exchanged for the amount in sterling silver, next quarter. But pay-day at the Exchequer stands next in the calendar to Christmas-come-never. When I went to Westminster, I was informed that the Exchequer had removed to York. After a troublesome journey to York, I found it had travelled to Carlisle. At last, after a desperate hunt, I caught the Lord Treasurer at Gloucester. But I made more haste than good speed."

"Was the Exchequer shut?"

"No; it was open, and so was the money-chest; for just before I arrived, the last forty-shillings that remained had been extracted by my friend, Griffe-

de-Loup, in payment of his quarter's salary. Wo is me!—I have been fain to sell my tallies to Haquin, the Jew, for one-half of the debt which they professed to secure. Would that King Edward's tallies could be converted into Kublai Khan's soft paper!"

"But, Master John,"—retorted Griffe-de-Loup, somewhat nettled at this disclosure of secrets of state, "you have forgotten to say how wisely and discreetly you provided against any contingency of loss. A yard-wand reckoned as an ell, short weight, scanty measure, the delivery of an article which no chapman but the King's Purveyor would have bought, and a higher price than any chapman except the King would have offered, will all leave a handsome profit out of the eight hundred clipped groats which Haquin has paid to you."

"I will not speak a word which may tend to the dishonour of his Grace the King, or to the discredit of my brother merchant, for I am also a trader,"—said the Pilgrim. "Yet, be it known, that honesty is always the best policy. If the King cheats the dealer, the dealer will inevitably cheat the King. It is not so in Cathay. If Kublai detects the slightest fraud, a hundred strokes of the bamboo, at the very least, will leave a lasting im-

pression upon the offender. I recollect my dear and suffering friend, Hi-Ho, the richest Hong merchant of Nankin, was unable to sit on his chair, with any kind of comfort, during a whole twelvemonth, after the paternal chastisement bestowed upon him in consequence of the bad quality of a single pekul of pepper, which, as Poo-Puh, the Master-cook, affirmed, did not make him sneeze more than *six* times when he opened the package: it ought to have made him sneeze *seven*. But Kublai only demands from others, that probity of which he sets the example. The fact is, that the value of Kublai's paper is based wholly upon good faith. Kublai is fully convinced that the violation of any obligation contracted by or with any member of the state, rich or poor, is destructive of the first principles of human society. If he were, either directly or indirectly, to commit or countenance any trick or fraud, such as refusing to receive back his notes at the value for which they are issued, then their worth would be at once destroyed.—It is the credit, the honesty, the truth of Kublai Khan, which is represented by this symbolical coin."

The hospitality of the middle ages, like that of the East of the present day, forbade any of the modern niceties and punctilios respecting introduc-

tions. To be unknown, afforded at once a claim and a title to protection and kindness; and to have asked the travellers for their names would have been an act of rudeness and incivility. But curiosity might be discreetly expressed, and the Abbot, who had formed a supposition concerning his guest, continued on the watch for some decent opportunity of verifying his conjecture. That the Pilgrim was an Italian, he had already acknowledged: and the Abbot hit upon the ingenious device of turning the winged lion, one of the emblems of the Evangelists which adorned the silver beaker, towards the Pilgrim, pledging him, at the same time, to the health of his Tartarian Majesty.

The stranger, who had no wish to evade the question which was asked by the action of the Abbot, replied,—"Saint Mark is doubly my patron. He is the protector of our glorious and invincible Republic; and in his patriarchal church, I, Marco, received his name."

It was not necessary that he should say more.—There was no one person present who did not feel as if he were an old and intimate acquaintance of the Traveller, acknowledged by universal consent as a citizen, not of Venice, but of the world.

Chapter II.

THE COUNTY ELECTION.

Messer Marco Millione, the appellation which, as is generally known, our friend the Pilgrim usually bore, was a commercial traveller in the strictest sense of the term. Gain sent him forth. And, however active his curiosity may have been, the mere wish of visiting strange countries, and then describing them after he had seen them, would no more have conducted him to England than to Cathay. It is, perhaps, to the circumstance that most of our early travellers were men of business: and the missionary or the ambassador were, in their respective lines, as much men of business as the merchant,—that we owe the vivacity and interest of their narratives, and their great superiority over those writers, whom authorship-prepense, has conducted from their homes.

In the first case, the journey makes the book: but in the last, it is the book which makes the journey. The business-traveller, records those

matters only which recreated him amidst his toils, or which were so remarkable as to command his attention, possessing a real and native interest. Whilst the author-traveller, turning his recreation into a toil, is perpetually on the stretch, striving to give a factitious and fictitious interest to things which have none at all.

But, indeed, such is the difference in every branch of literature, between the productions which spring from the fulness of the intellect, and those which are the results of compulsory labour. If the writer is called to the work, if he willingly follows the employment for which his mind is prepared, you quaff the Tokay. It is the juice expressed from the grape by its own richness and ripeness. But if he is forced or forces himself upon the task, you are not merely dosed with the crude and sour extract of the *marc*, but are compelled to swallow the very husks and stalks themselves.

As for Marco Polo, he was engaged upon a lucrative commission: the collection of the long outstanding arrears due to the representatives of Peter de Aquabella, whilome Bishop of Hereford. But although the merchant was looking after lucre and profit, he never neglected any opportunity of

mental improvement. The reputation of Roger Bacon,—I name the philosopher without further introduction, for I presume that my readers have already recognised him in the Friar,—might have induced even a less energetic observer than Marco to accept the invitation he received. Friar Bacon had, in fact, offered to conduct the Venetian to London, where he proposed attending a Chapter-general of the order, virtually composed of deputies from all the Houses of that observance in England; a species of ecclesiastical parliament, not without influence, as I may, perhaps, explain elsewhere, upon the civil constitution of the realm.

Friar Bacon's conversation was very singular Sometimes remarkably explicit and perspicuous; he would often again become silent, reserved, and obscure. He would pass from the most sound experimental observations to a boundless expanse of theory and hypothesis: solid and correct reasoning would suddenly be *faulted*, as it were, by a vein of wild credulity: and the full and clear display of a philosophical truth would suddenly be succeeded by an inscrutable enigma. At one moment, he appeared to put you in entire possession of his sentiments: at the next, you felt that he

retired within himself, and laboured to deprive you of any indication by which you could ascertain his real thoughts. Marco Polo, therefore, afterwards observed that the Friar might be compared to the prospect of a mountain-range, whose lofty summits are seen, now resplendent in floods of light, and now shrouded in impenetrable mists, a ceaseless alternation of darkness and sunshine.

During a considerable portion of the road, the travellers continued skirting along the Thames, scantily dotted here and there with heavy barges and ballingers: some, drifting lazily down the shallow river; others, still more slowly punting their way upwards by dint of pole and oar.

"In Cathay,"—observed Marco Polo, "the people hold all other nations in such contempt, that, speaking of them according to their common proverb, they say, 'Cathay-man, two eye—Red-pate, one eye—Black-pate, no eye.' They found this complimentary scale upon their own imagined superiority over all other races, though they cannot help acknowledging the evident advantages which we, European Red-pates, possess over the wild and nomade tribes in their vicinity. But if Kublai Khan's subjects were to travel into our western

parts, I am afraid they would doubt whether we use even the one barbarian eye, which they are so kind as to allow us. Water-carriage is the life of trade. And yet, with the exception of the Flemings, who, as I hear, have formed a canal between Ghent and Bruges, in some parts by cutting through the soil, but mostly by deepening the beds of the sluggish streams, and a few other similar works in Lombardy, there is not a nation or country in Christendom where any attempt has been made to improve the advantages of inland navigation.

"How differently they manage matters in Cathay!—There, the broad expanses of the lakes are connected by excavations with the ample floods which intersect the Empire; forming communications denied by nature; and enabling the most distant provinces to exchange their productions, the abundance of the southern regions helping the arid sterility of the north.

"Hence, commerce has been extended in a manner of which you, in Europe, have no conception. On the banks of the Kiang, which unites itself with the largest of those artificial channels, there are upwards of two hundred cities, each

possessing five thousand barks. I verily believe that more vessels float upon the Kiang than are to be found in all Asia besides."

"Much,"—replied Bacon, "hath certainly been effected by those distant nations, who at once afford us an example and a warning—an example in stimulating us to exert our industry, a warning in teaching us to refrain from self-conceit; and yet, how little has their knowledge advanced, when compared to the wonders which will be revealed by the combined powers of art and nature, exceeding all the miracles ascribed to magical skill or necromantic art.

"Bridges, unsupported by arches, can be made to span the foaming torrent. Man shall descend to the bottom of the ocean safely breathing; and treading with firm step on the golden sands never brightened by the light of day. Call but the secret powers of Sol and Luna into action, and I behold a single steersman sitting at the helm, and guiding the vessel, which divides the waves with greater rapidity than if she had been filled with a crew of mariners toiling at the oars. And the loaded chariot, no longer encumbered by the panting steed, darts on in its course with resistless force

and rapidity. Let the pure and simple elements do thy labour. Bind the eternal enemies, and yoke them to the same plough. Make the contraries unite, and teach the discordant influences to conjoin in harmony. Aid the antagonists to conquer each other: and do thou profit by their mutual victories. True are my words, though spoken in parables. Open the treasury of nature,—above, below, around you are the keys."

It might have been difficult for Marco Polo to annex any definite idea to these sentences, so mysterious in the fourteenth century, so intelligible in our own. But, circumstances had enabled him to form some reasonable conjectures respecting the applications of the powers of nature indicated by the Friar; and the subject was not entirely new to him. Friar Bacon had, some time before, inscribed an epistle to Brother William of Paris, bearing the title '*De secretis Operibus Artis et Naturæ, et de Nullitate Magiæ*,' in the fourth chapter whereof all these prospective discoveries are enumerated.

This epistle, like many others upon similar subjects, which the Friar had addressed to Pope Clement, and to other distinguished personages,

belonged to that extensive genus which, in our times, has been designated as correspondence for the press, and not for the post. Neither press nor post then existed. But, nevertheless, the coy reserve which shrinks from the sight in order to be more surely drawn forth into the universal gaze, obtained the degree of tenderness which such sensitive shyness required. Modesty is not always rendered indignant by gentle violence; and it was as well understood then, as it could possibly be now, that the discreet friend who received the full answers to questions which had never been asked, —the satisfactory explanations of matters about which he had never inquired,—the clear solution of doubts which he had never raised,—and the affectionate explanations for the relief of his non-existent anxiety,—would ill requite the kindness of his correspondent, unless he took effectual means for preventing the world at large from being deprived of the "private and confidential communication" with which he had thus been favoured.

Brother William, therefore, did not scruple to show the epistle of the English philosopher to all the curious who wished to inspect it; and—as collectors are wont to do—even to many who did not.

Nor did he ever refuse the loan thereof to the transcribers by trade, first exacting, it is true, a solemn promise that the document should be treated with as much precaution as it was imparted. So that we need not wonder that a copy had very speedily—within nine years from the day of its date—reached Venice, and that Marco was fully aware of the doctrines which the Friar held.

Indeed, even if Friar Bacon had practised more reserve with respect to the transmission of his writings, there was no breach of the social compact in promulgating his scientific views and schemes. He constantly made them the subject of his conversation; and many of the discourses which are here recorded, are found in substance in such of his works as are still extant. In some cases, I have really been quite surprised and astonished at the agreement between Friar Bacon's text, and the manuscript which I use.—And this singular coincidence, by the way, is such a proof of the accuracy of the ancient chronicler from whose narrative this tale is rendered, that, if the reader chooses, he is at liberty to conjecture that all the other portions of the adventures of the

Merchant and the Friar have been given with equal fidelity.

Marco, then, as one who was well prepared for the subject, began at once earnestly to interrogate the Friar upon the means of realizing his predictions.—"And why, then," continued he, "do you not place the keys of science in the hands of those who would use them for the purpose of opening the most valuable of all treasuries, the productive industry of the community? What an impulse would these, now occult and secret powers, impart to commerce, to every kind of handicraft! Let us suppose your inventions to be carried into practice, and since you make the assertion, I entertain no doubt of their practicability, I speak as if these wondrous engines were before us,—and the very face of the world is changed.

"The rapid transit of commodities increasing the facility of supply, and the increased supply stimulating the demand, trade and traffic expand to the most gigantic scale. The merchant, instead of being compelled as now, to consume his time, to risk his health, his life, in long and toilsome journeys, is enabled, by his agents and factors, to con-

duct the most extensive concerns without departing from his dwelling.——"

"But these advantages,"—exclaimed the Friar, not allowing Marco to proceed, for he had a bad habit of interrupting conversation,—"display but partially the ministry of the elemental powers. The united antagonists, so irresistible in their strength, and yet so easily directed, may be compelled to perform any labour which their master may impose. *Time was*, when the hands of the captive crouching at the quern afforded the sole source of motion to the only machine then known to man. *Time is*, and the rippling stream and the rushing wind are made to assist him by their impulse. *Time shall be*, and the virtues of nature will bestow upon him an energy of resistless activity.

"Whatever we now effect by human or animal strength, by nerve and muscle, or by the action of stream or gale, will be operated by a servant who will never tire, a slave who will never rebel, a vital force which will never slacken, never slumber, never rest, and susceptible of indefinite increase. Easily as the beldame twines the single thread, ten thousand thousand spindles may be made to revolve in ceaseless whirl through night and day.

Self-moving, the loom will cover the mazy web. The hammer, which even the arm of Cyclops could not wield, vibrates like a reed through the yielding air.

"Whatever ministers to the luxury or the convenience of mankind will be so increased in quantity, as well as reduced in cost, that the objects which now the sovereign's wealth can scarce obtain, will be accessible to all who are but one grade removed from absolute poverty.—Such will be the results of machinery!"

"And why,"—exclaimed Marco Polo, "do you jealously deprive your contemporaries of these benefits?—Must the burning lamp be buried in your sepulchre, leaving to future ages the chance discovery of its flame?"

"I dread that all these boons," said the Friar, "will be purchasable only at too high a price. Recollect our old proverb,—'You may buy gold too dear.'"

"Surely,"—exclaimed Marco Polo;—but Marco Polo's exclamation, which possibly elicited an explanation of these oracular declarations, as well as the remainder of the Friar's argument upon the results of machinery, is nearly, perhaps, irrecoverably lost, the manuscript having become extremely

blurred and unintelligible; partly by decay, but still more by the injudicious application of tincture of galls, a process which, though it affords a temporary aid to the reader in deciphering the faded writing, ultimately covers the whole surface with an impenetrable shade. And from these and other similar injuries, I am apprehensive that the remainder of the narrative will offer rather a succession of fragments than a connected history.

I must also confess I have sometimes supposed, that the Monk of Croyland, the Author to whom I owe my original, has acted even as the ingenious painter, who enlivens the circle of his panorama with all the groups which might, could, would, or should have congregated in the locality of his scene during the whole revolving year. The caravan entering one gate, and the funeral going out at another. Here the infliction of a marriage, there the celebration of the bastinado. Storks on every cupola, and Muzzeins in every minaret. In short, whose pencil, true in each detail, but inventive in the composition, has decorated the canvass with a host of men and creatures, all natural to the place, all having a full right to be there at some one time, but who never assembled together at one precise moment of time.

Try what I can, I cannot find any given date under which Marco Polo and Friar Bacon could, according to the vulgarly received chronology of English history, have concurred in witnessing the transactions which my manuscripts disclose. And yet there is hardly any material fact here narrated, respecting which I have not read the same, or something nearly like it, either in authentic records, such as I myself have printed or used in my official capacity, or in an extant chronicle. The main statements seem true, but I cannot make them synchronize, and it is that which puzzles me.

I must now resume from the passage where the manuscript first becomes legible again. It tells us that the oak near which the Travellers alighted was in the last stage of decay; reduced to a mere shell, and hoary with mosses and lichens. Yet the huge trunk still bore a few verdant branches, whose bright and tender freshness formed a striking contrast to the decrepitude of the parent stem from which they sprung. The landscape offered some remarkable features. The tree grew upon a small hillock, so regularly shaped, that the rising seemed to be a work, not of nature, but of art. A more attentive examination confirmed this supposition. Concen-

tric ramparts and fosses environed the circular mound, whose form was distinctly seen, though their outline was entirely rounded off at the summits and edges by the compact flowery turf, with which they were as fully covered as the rest of the downs: thus affording full evidence of the many winters and summers which had rolled away since the soil had been disturbed.

Other tokens of past ages also appeared. A tall, rude obelisk, of unhewn rock, surrounded by smaller pillars of the same shape and material, stood at the foot of the knoll. A cool spring-head above, welled out into a little stream, gliding through the rushes, steadily and rapidly, yet so tranquilly, that when you looked down upon it, the uniform direction of the blades, vibrating in the clear fluid, alone indicated the existence of the current. Indeed, the tiny rivulet would, perhaps, have been unnoticed by our Travellers, had not their attention been drawn to it by a slight splashing sound, like that of eight or nine pebbles successively cast into the water: and by the appearance of a young girl, who tripped away in very great haste, as if she had been doing some deed of which was either ashamed or afraid.

"It is singular,"—said Marco Polo, "to observe how identical these superstitious practices and opinions are in all parts of the world. In the the recesses of Hindostan, you find the same scheme of planetary influences as our astrologers adopt, and the same class of spells employed for obtaining a fallacious prospect of futurity, as are in vogue, in spite of all the denunciations of our Prelates, in every country of western Christendom. The dark-eyed daughters of Java endeavour to reclaim an unfaithful lover by the same arts as the the Grecian Amaryllis. And the tales repeated around the hearth of the Italian peasant may be heard on the banks of the Ganges."

"Rather say,—it is not singular,"—replied the Friar, "that these superstitious practices and opinions should be identical in all parts of the world, since they all spring from the same common cause, —Man rebelling against the will of his Creator, striving to obtain that knowledge which has been withheld from us by mercy: yielding to sinful lusts and wishes; and seeking aid and comfort in any source rather than in submission to the Divine will. The spirit of this idolatry is universal. But the special form which it takes in the case of the

jealous, afflicted, or forsaken damsel, who has just taken flight, is derived from the heathenism of her Anglo-Saxon ancestors. It cometh even within the letter of the fifth chapter of the law which Canute the Dane established by the Council of the Witan, the wise men of England, and which wholly prohibits the fantastic ceremonies performed in the worship of the greenwood tree, the rock, the flood-water, or the spring.

"Here, we have the very objects before us. Race after race has inherited these delusions. These circles denote the place of sacrifice, as well as the court of Justice, and it is more than possible that this very oak hath whilome witnessed the rites of Paganism. If appearance and aspect can now be received as adequate evidence, one might almost maintain that the British Druids, of whom we read in Pliny, had cropped the misletoe from its boughs: though I admit that we lack sufficient proof of the length to which vegetable life may be prolonged."

"In some cases,"—replied Marco, "it is afforded by tradition. When Sozomen wrote, the pilgrim in Arabia was shown the oak of Mamre beneath which Abraham pitched his tent. And this memorial of

the Patriarch was felled, not by the scythe of time, but by the axe of the destroyer."

"I should require some surer testimony, Master Marco, both of the antiquity and identity of the tree, than such unsupported Oriental traditions can afford."

"I will seek, then, to find examples for you in Europe, good Friar. You know, without doubt, that the descendants of the ancient Cantabrians are to be found in the men of Biscay, who, defying alike the power of the Roman, the Goth, and the Moor, yet retain possession of their land and assert their pristine liberty, notwithstanding they have been compelled to acknowledge, from time to time, the supremacy of their more powerful neighbours. Certes, in all my peregrinations, I have never met with any Christian folk whose laws and institutions, manners, customs, and language, bear the impress of such unaltered eld. They yet possess a popular ballad, commemorating the resistance,—that steady, patient, and determined resistance, grounded upon the love of all that makes our country dear to us, and which, humanly speaking, never fails, in the long run, to defeat an invader,—opposed by the Cantabrians to the victorious Au-

gustus, the Emperor of Rome, or, as he is termed in the lay, the ruler of the world.

'Romaca arouac,
Aleguin eta,
Vizcaiac daróa,
Cansoá.
Octabiano
Munduco jauna,
Lecobidi
Vizcaicoá.'"

"These verses may be very pathetic and interesting,"—quoth Friar Bacon; "but I really do not understand one word of what you are saying."

"Neither do I,"—replied Marco; "but that makes no difference at all in poetry. I liked the sound of them,—that is quite enough for me,—and so I learned the verses by heart."

"Messer Marco, Messer Marco," said the Friar, looking somewhat stern; "in this vagary I cannot perceive your accustomed good sense: it seemeth to me wholly beside the purport and purpose of our conversation."

"Be not over hasty, Friar,"—retorted Marco. "It is sufficient that a trusty interpreter has explained the general meaning of the lay to me, and assured me of its present currency, and its tokens of remote antiquity: and, now, Friar, mark

my reasoning. I am about to allege a tradition, transmitted from father to son: and the only mode of appreciating the credibility of historical traditions, often the sole beacons, fallacious as they may be, through the night of history, is by considering them as a portion of the nationality of the people unto whom they belong.

"Take, for example, the Biscayans, dwelling in the land which possibly they reached during the earliest outwandering of mankind from the plain of Shinar, speaking a peculiar and unmixed language, cultivated in the highest degree by the affection which they bear to every token of their blood and race, and preserving the great outlines of their history by popular song. Amongst such a people, a fact, though resting only upon oral tradition, may be considered to be as well authenticated, as if it were recorded in the pages of the Chronicler.

"You have asked me for some good evidence of vegetable longevity;—and therefore, I will tell you, that the Cantabrians point out the living oak of Guernica as the very identical tree beneath whose branches the lawgivers and magistrates of their Commonwealth have assembled ever since the

reign of Charlemagne, when it was already their ancient place of meeting.

"Around the oak of Guernica, the deputies from the different rural districts into which Biscay is divided, convene, and by their advice and assent the land is ruled. Ask the Biscayan for the *Fueros*, the charter guaranteeing the independence of this national legislature: and, in reply, he will draw the dagger, with which, pursuant to their immemorial usage, he may stab the messenger who bears any mandate from the Lord of Biscay, contrary to their rights and privileges. With all these collateral confirmations, with this accumulation of traditions repeated, and rights maintained, from generation to generation, you will, I am sure, readily admit that I have produced to you sufficient evidence of the oak-tree's age. Those who have seen it, tell me that it is yet so green and vigorous, that there is scarcely any reason to doubt but that it may be flourishing and healthy five hundred years hence; which, if the world should last so long, will be in the nineteenth century of the Christian era."

"But can you find," said Bacon, "any other instance equally well authenticated?"

"Many,"—replied Marco; "all resting, however, upon the same class of proofs,—legal usages conjoined to traditions. You know that in the old time it was the custom, still preserved in numerous parts of Europe, to hold the courts of judicature beneath the shadow of the tree. Coeval with the oak of Guernica, perhaps even of greater antiquity, are the oaks of Upstallsbaum, in the country of the free Frieslanders, the true brethren of your Anglo-Saxon ancestors, Friar, still speaking your own old English language almost without a change. Into Seven Sea-lands is the country divided. Governed by Judges, elected in each Sea-land, the Frieslanders have, as yet, defended their laws and customs and liberties, against priest and prelate, king and kaisar. And it is very possible, that the three oak-trees of Upstallsbaum, around whose stems the Representatives of the Friesick Commonwealth hold their tribunal, may have been in full vigour before the keels of Hengist, whom the Frieslanders commemorate as their Sovereign, had landed their crews on the shores of Britain.

"The trees of Upstallsbaum stand, like the oak before us, on the summit of a small hill or mound. And the spot where we now are, reminds me so

strongly of the site where the Frieslanders are thus accustomed to assemble for the administration of their laws, that I might almost suppose——"

The Friar, who had hitherto been quietly attending to this narration,—though, by the way, as I have said before, he was not the most patient listener in the world,—now suddenly silenced the speaker, and anticipated the conclusion of the sentence, by telling him that his supposition was a certainty. "For this,"—continued he,—"is no other than Grimbald's oak, beneath whose boughs the Shire-court of this County, the earliest and most important of our national tribunals, is held at this present day."

Marco Polo and the Friar had been so earnestly engaged in their discussions, that they had scarcely noticed the Suitors, though the latter, during the last half hour, had been gathering around the Shire-oak, awaiting the arrival of the high Officer whose duty it was to preside. Notwithstanding the size of the meeting,—and Marco conjectures,—if we read his numerals properly, that upwards of two thousand people were present: there was, nevertheless, a semblance of system in the crowd; for a considerable proportion of the throng consisted of little knots of husbandmen. The churls, four or five of

whom were generally standing together, each company seeming to compose a deputation, might be easily distinguished by their dress—a long frock of coarse, yet snow-white linen, hanging down to the same length before and behind, and ornamented round the neck with broidery rudely executed in blue thread. They wore, in fact, the attire of the carter and the ploughman, which yet lingers in some few parts of Cambridgeshire and Suffolk, common enough about five and twenty years ago, but which will probably soon be recollected only as an ancient costume, cast away with all the other obsolete characteristics of merry old England, by which our native country was known and distinguished in the days—days as unrecallable now as the age of chivalry,—of patriotism and loyalty, of 'Hearts of Oak,' 'Rule Britannia,' and 'Long live the King.'

Every one of these groups of peasantry, who, it must be observed, were the representatives of their respective Townships, the rural communes into which the whole Realm was divided, had a species of chieftain, in the person of an individual, who, though it was evident that he belonged to the same rank in Society, gave directions to the rest. In-

terspersed among the churls, though not confounded with them, were also very many well-clad persons, possessing an appearance of rustic respectability. These, also, were subjected to some kind of classification, being collected into sets of twelve men each, who, when so collected, were busily employed in confabulation among themselves. And, from circumstances which, at present, I shall for various prudent and cogent reasons refrain from detailing, Marco ascertained that they were the "sworn centenary deputies," a phrase by which I suppose he means the Jurors who answered for and represented the several Hundreds. But a third class of members of the Shire-court could be equally distinguished, proudly known by their gilt spurs and blazoned tabards, as the provincial Knighthood, and who, though thus honoured, appeared to mix freely and affably in converse with the rest of the Commons of the Shire.

"I see but few shaven crowns amidst the multitude,"—observed Marco Polo,—"and but for this deficiency, I might conclude that this assembly had been the legislature of an ancient Commonwealth."

"Marco,—in your last position, you are correct. Time was, when the predecessors of the Suitors

here convened, bore the name of the *Witan*, the Sages of an Anglo-Saxon kingdom: and then the Bishop might be seen as one of the Chieftains of a people, taught, as all nations ought to be, that their civil policy was founded on their faith.—But, one of the alterations in our government, effected by William the Norman, was the promulgation of an edict prohibiting the discussion in the Secular Courts, of certain matters, which, according to the new jurisprudence introduced by Lanfranc, belonged to the ecclesiastical tribunals. Seldom, therefore, do the Clergy now care to attend these assemblies, excepting when, like the Abbot of Oseney,"—pointing to the Abbot, who was just then ambling in upon his well-fed palfrey, —" they are compelled to do so by reason of the business they have to transact in the County Court, which offers a species of representation of the several ranks and orders composing the community."

A flourish of trumpets interrupted the discourse, and announced the approach of the High Sheriff, Sir Giles de Argentein, surrounded by his escort of javelin men, tall yeomen, all arrayed in a uniform suit or livery, and accompanied, amongst others,

by four Knights, who, though they yielded precedence to the Sheriff, were evidently considered to be almost of equal importance. No sooner had the Sheriff and the four Coroners—for these were the four Knights who thus attended him—appeared in the Court, when a Girl, whom the Travellers recognised as her who had cast the spell, the nine charmed pebbles, into the streamlet, rushed into the ring, and exclaimed with a loud and agitated voice,—"You, Sheriff, you Coroners, you honest men of the Shire, by the law and lore, which good King Alfred, all England's father, granted and taught, I appeal Sir Richard de Pogeys, for that——"

"My Masters,"—said the Sheriff, in a tone of great decision, and such as showed that he would brook no contradiction,—"you must not listen to such idlenesses. You, John Catchpole, remove the silly Wench from the court: and, if she continue her abuse of men of worship, silence her in the tumbrel, for we are bound to proceed to business concerning the whole Commonwealth. Even now hath the Porte-joye of the Chancery delivered to me certain most important writs of

our Sovereign Lord the King, containing his Grace's high commands."

The said *Porte-joye* of the Chancery often acted as one of the messengers of the Great Seal: and, whatever may have been the original nature of the affairs wherewith he was charged in the time of Thomas à Becket, it is certain, that in the fourteenth century he was anything rather than a bearer of gladness. In our own times, our spirits are not particularly exhilarated by the approach of any process issued by the Court of Chancery: and, in good sooth, there was then no particular reason to welcome the satellites of that venerable tribunal. The Chancellor, who might be designated as principal Secretary of State for all departments, was the great medium of communication between the King and his subjects: and whatever the Sovereign had to ask or to tell, was usually asked or told by or under the directions of this high functionary.

Now, although the gracious declarations which the Chancellor was charged to deliver, were much diversified in their form, differing in their tone, and multifarious in their matter, yet, somehow or another, they generally all conveyed the same intent.

Even as the several variations of a skilful composer, after conducting the hearer through every maze of harmony, round about and up and down, by flats and sharps, crotchets and quavers, sweetly slide and glide, at last, into the same identical thump, dump, thump, thump,—thump, tweedle, tweedle-dee, of the *Tema*. Even so, did the mandates of our ancient Kings, whether kind or angry,—whether tender or dignified,—whether directing the preservation of the peace, or preparing for the prosecution of a war,—whether announcing a royal birth or a royal death,—whether to declare that the royal son would wear his first spurs on his royal heels, or the royal daughter first receive the marriage ring on her royal finger,—invariably conclude with a request or a demand for money's worth or money: either by express terms, or by implication; either by a plain peremptory demand, or by the enunciation of some potent cause, which would produce the salutary effect of pecuniary depletion, as surely as the blood is extracted by the application of the leech to the patient under the doctor's hands.

The present instance offered no exception to the general rule. King Edward, greeting his loving

subjects, expatiated in most emphatic terms upon the miseries which the realm was likely to sustain by the invasion of the wicked, barbarous, and perfidious Scots. Church and State, he alleged, were in equal danger; and, "inasmuch as that which concerneth all, ought to be determined by the advice of all concerned, we have determined,"—the writ continued,—"to hold our Parliament at Westminster, in eight days of St. Hilary."

Parliament!—The effect of the announcement was magical. Parliament!—Even before the second syllable of the word had been uttered, a vision of aids and subsidies instantly rose before the appalled multitude:—assessors and collectors flitted in the ambient air. And whilst the Sheriff and the other functionaries preserved a tranquil, but not a cheerful gravity, every one else present, high or low, earl or churl, as the Anglo-Saxon rhyme has it, seemed impressed with the common fear of the impending visitation, and occupied by the thoughts of averting or evading the blow. Sir Gilbert de Hastings instinctively plucked his purse out of his sleeve: and, drawing the strings together, he twisted and tied them, in the course of half a minute of nervous agitation, into a Gordian knot.

apparently defying any attempt to undo it, except by the means practised by the son of Ammon: but which, as the owner well knew by sad experience, would fail to defend the contents against the dexterous unravelment of the cunning emissaries of the Treasury.

Hastings tarried in the field. But the Abbot of Oseney forthwith guided his steed to the right-about, and rode away from the meeting as fast as he could trot, turning the deafest of deaf ears to the monitions which he received.—"My Lord Abbot, we want you!"—My Lord trotted on.—"My Lord Abbot, we want you!"—vociferated the Sheriff in a voice of thunder.—My Lord heard nothing, but continued his progress until he was intercepted by the Porte-joye, who, respectfully doffing his cap, and offering a salutation which the Abbot seemed very unwilling to return, attempted to serve the Prelate with the much-abominated process, the writ of summons, by which he was commanded, all other matters laid aside, to attend in person at the Parliament, to treat with and give counsel to the King upon the affairs which should be then and there propounded.

Whether tenure or custom did or did not render

the Abbot of Oseney liable to the very disagreeable duty of taking his seat in Parliament, by which he would be taxed amongst the holders of lay property, was a question which had long been agitated, both in fact and in law. The name of the Abbot of Oseney stood high on the roll of Parliamentary Prelates; yet, years had elapsed since such an Abbot had been seen among the Lords. Many attempts, it is true, had been made to enforce the attendance of the last Abbot but one, Abbot Peter; who, according to the tradition current amongst the officers of the House of Lords, was what, in the technical language of Carey-street and Bell-yard, would be called a very shy customer. It was almost as difficult to execute a Parliamentary writ of summons at Oseney, as it would now be to effect the execution of a writ of capias in the county Galway. Every kind of device was resorted to for the purpose of obtaining a legal hold upon the Abbot, and these attempts were resisted with singular energy.

On one very urgent occasion, the Lord Chancellor did not think it beneath the dignity of Parliament to dispatch a Master, William de Eyreminne, afterwards advanced to the Rolls, and ulti-

mately promoted to the Bishopric of Norwich, who cunningly gained access to the Abbot in the disguise of a penitent. So far he was successful, but as soon as his errand was disclosed, the Master received such a salutary discipline from the knotted scourges provided by the Monks for the benefit of the visiters to the shrine of Saint Brithwold, as induced him to decamp most speedily, adopting with entire sincerity the character which he had assumed.

On another occasion, it was reported that the Messenger was agreeably surprised by the unexpected cordiality of his reception. No obstacle was offered; and the Abbot, receiving the Parliamentary process with much respect, delivered it to his Seneschal, telling him to take care that it was properly returned. The summoning officer was then shown into a "parloir," and kindly requested to take a meal previous to the resumption of his journey. The dish was brought up and placed before him. Well did he augur from the amplitude of the cover,—but, when the towering dome was removed, it displayed a mess far more novel than inviting,—the parchment writ fried in the wax of the great seal. Before he could recover from his surprise, the attendants disappeared, the

door closed, and the key turned; and, amidst the loud shouts of laughter from without, he heard the voice of the Pitanciary, declaring that he should never taste a second course until he had done justice to the first, the dainty dish set before him upon the table. And the threat was carried into effect without the slightest mitigation; for of no other food did he partake, neither bite nor sup could he obtain, until, after two whole days of solitude and abstinence, the cravings of hunger compelled the unlucky representative of the Chancery to swallow both the affront and the process.

Such were the reports, whether true or false; and there were very many others of the same kind, concerning the ability shown by the Abbots of Oseney in defeating the legal process intended to enforce their Parliamentary duties: and during a long period, no further attempts had been made upon them. A learned member of the Society of Antiquaries, the principal contributor (*entre nous*) to that venerable periodical, the Gentlemen's Magazine, and who collects materials for a Supplement to the last splendid, new, and enlarged edition of Dugdale's Monasticon, to be published by subscription, in as many parts as the subscribers' resig-

nation will bear, at one guinea per number, small paper, and two guineas the large, informs me, however, that there are certain entries in the abbatial accounts, now in the Augmentation office, entitled, "*Largesses and donations;*" in which all dates, names, and other particulars, have been carefully erased. But he surmises that they would, if legible, have afforded a more satisfactory explanation of the cessation of hostilities. Be this as it may, the Porte-joye now acted like a man determined to do his duty, and seizing the horse's rein with the one hand, he attempted, with the other, to force the writ into the Abbot's grasp.

"Gently, gently, gently, Master Porte-joye,"—quoth the Abbot,—"you may e'en put your scrap into your scrip again. My much-lamented predecessor, Richard de Dronebury, to whose station, after he had ruled us in peace and quietness during twenty years, I, all unworthy as I be, was called last Easter, hath set us quite at ease. A blessing be upon him,—for he obtained several most valuable privileges for our Convent, and such as will for ever commemorate his name. A grant of twelve fat bucks yearly, and every year, from Woodstock Park. A thousand fagots of wood at each fall, to every

stick whereof you shall be heartily welcome, Master Porte-joye. And, lastly, a patent, declaring that the Reverend Abbot of Oseney, and all his successors for ever thereafter, shall be wholly exempted, exonerated, and discharged from attending Parliament, or in any way resorting to the same, or from being held, bound, or obliged to give any advice or counsel to the King, his heirs or successors, upon any matter, cause, or thing whatever. Well do I know how anxious my Lord Chancellor is to fill the Parliament House with the like of me; but with this patent I defy him.—Let him do his worst, I wo'nt come to Parliament."

"You shall answer for this contempt before the Chancellor, my Lord, when the seals are next opened in Westminster Hall, on the table of marble stone. A commission of rebellion will bring you to your senses,"—exclaimed the Porte-joye, scowling at the Abbot. But all further discussion between these parties was prevented by the High Sheriff, who commanded his clerk to read the whole of the writ, by which he was commanded "to cause two Knights to be elected for the Shire; and from every City within his Bailiwick two Citizens; and from every Borough two Burgesses,

all of the more discreet and wiser sort, and to cause them to come before the King in his Parliament at the before-mentioned place and day, with full powers from their respective communities, to perform and consent to such matters as by common counsel shall be then and there ordained; and this you will in no wise omit, as you will answer at your peril."

A momentary pause ensued. The main body of the Suitors retreated from the High Sheriff, as though he had been a centre of repulsion: and, after a short but vehement conversation amongst themselves, one of the bettermost sort of yeomen,—a gentleman farmer, if we may use the modern term,—stepped forward and addressed Sir Giles:—"Your worship well knows that we, poor Commons, are not bound to proceed to the election. You have no right to call upon us to interfere. So many of the Earls and Barons of the Shire, the great men, who ought to take the main trouble, burthen, and business of the choice of the Knights upon themselves, are absent now in the King's service, that we neither can nor dare proceed to nominate those who are to represent the County. Such slender folk as we have no concern with these

weighty matters. How can we tell who are best qualified to serve?"

"What of that, John Trafford,"—said the Sheriff;—"do you think that his Grace will allow his affairs to be delayed by excuses such as these? You, Suitors of the Shire, are as much bound and obliged to concur in the choice of the County Members as any Baron of the realm. Do your duty; I command ye in the King's name."

"Prove your allegations, Sir Sheriff,"—replied the sturdy Yeoman, who, as the Reeve, headed, the deputation of his township.—"Quote the judgment, read the statute, cite the law, or produce the roll, showing that our concurrence in the Parliamentary elections is a part of our suit and service in the Shire. And if you succeed in finding that you have any coercive right over us in this respect, you shall harness me in the team, and know further, Sir Sheriff,"—continued John Trafford; "that I appear in this Shire Court as the Attorney and Steward of Sir Robert de Vere."

"So be it, Master John,"—retorted the Sheriff, with all the delight of a disputant about to place his adversary between the horns of a dilemma.—"Since I have you, as your master's representative

in the Shire Court, I will let you go as a Suitor with all my heart. You have just alleged that the burthen and duty of the elections falls upon the Earls and Barons. This is your acknowledgment, in full and open Court, which you cannot retract, and of which I and the Coroners will all bear record by word of mouth before the Exchequer. Now deny, if you can, that, in all proceedings of this County Court, you are fully empowered, by immemorial custom, to answer for Sir Robert your master, in the same manner as if he were here present. Therefore, under peril of the King's high displeasure, and as you tender life and limb, proceed at once to the election, as you are in duty bound, and as it has been ruled, again and again, in Yorkshire."

Fluctuating and uncertain as the elective franchise was, anterior to the creation of the forty-shilling suffrage, the only practice almost, in which much uniformity can be discovered, or which is defined with clearness and precision in coeval documents, is the usage of the Stewards or Attorneys of the Baronage concurring in the Parliamentary nominations, and on some occasions electing, or rather making, the members without the assent of any other parties whatever,—a professional arrangement

which, as some folks say, is by no means obsolete. John Trafford, therefore, had no help. Like a wise debater, he yielded to the pinch of the argument, without confessing that he felt it: and, having muttered a few words to the Sheriff, which might be considered as an assent, a long conference took place between him and some of his brother Stewards, as well as with the other Suitors. During this confabulation, several nods and winks of intelligence passed between Trafford and a well-mounted Knight: and whilst the former appeared to be settling the business with the Suitors, the latter, who had been close to Sir Giles, continued gradually backing and sidleing away through the groups of Shiresmen. And, just as he had got clear out of the ring, John Trafford declared, in a most sonorous voice, that the Suitors had chosen Sir Richard de Pogeys as one of their representatives.

The Sheriff, who, keeping his eye fixed upon Sir Richard as he receded, had evidently suspected some manœuvre, instantly ordered his Bailiffs to secure the body of the Member—this is rather an Hibernian phrase, but, as I cannot depart from my authorities, I do not know how it can be amended—"and," continued he with much vehemence, "Sir

Richard must be forthwith committed to custody, unless he gives good bail—two substantial freeholders—that he will duly attend in his place amongst the Commons on the first day of the Session, according to the laws and usage of Parliament."

All this, however, was more easily said than done, for, before the verbal precept had proceeded from the lips of the Sheriff, Sir Richard was galloping away at full speed across the fields. Off dashed the Bailiffs after the Member, amidst the shouts of the surrounding crowd, who forgot all their grievances in the stimulus of the chase, which they contemplated with the perfect certainty of receiving some satisfaction by its termination: whether by the escape of the fugitive, in which case their common enemy, the Sheriff, would be liable to a heavy amercement: or by the capture of the Knight, a result which would give them almost equal delight, by imposing a disagreeable and irksome duty upon an individual who was universally disliked, in consequence of his overbearing harshness and domestic tyranny.

One of the two above-mentioned gratifications might be considered as certain. But besides these,

there was a third contingent amusement, by no means to be overlooked; namely, the chance, that, in the contest, those respectable and intelligent functionaries, the Sheriff's Bailiffs, might, somehow or another, come to some kind of harm. In this charitable expectation, the good men of the Shire were not entirely disappointed. Bounding along the open fields, whilst the welkin resounded with the cheers of the spectators, the fleet courser of Sir Richard sliddered on the grass, and then stumbled and fell down the sloping side of one of the many ancient British entrenchments by which the plain was crossed, and the horse and the rider rolling over, the latter was deposited quite at the bottom of the foss, unhurt, but, of course, much discomposed.

Blaunc-estoyle had received as little damage as his master. Horse and rider were immediately on their respective legs again: Blaunc-estoyle shook himself, snorted, and was quite ready to start; but Sir Richard had to regird his sword, and before he could remount, the Bailiffs were close at him; Dick-o'-the-Gyves attempted to trip him up, whilst John Catchpole seized him by the collar of his pourpoint. A scuffle ensued, during which the nags of the Bailiffs slily took the opportunity of emancipating them-

selves from control. Distinctly seen from the Moot-Hill, the strife was begun and ended in a moment; and in what manner it had ended was ascertained without any further explanation, when the Officers rejoined the assembly, by Dick's limping gait and the closed eye of his companion. In the meanwhile, Sir Richard had wholly disappeared; and the special return made by the Sheriff to the writ, which I translate from an office-copy of the original—obligingly furnished by the Deputy Keeper of the Records in the Tower—will best elucidate the bearing of the transaction.

"Sir Richard de Pogeys, Knight, duly elected by the Shire, refused to find bail for his appearance in Parliament at the day and place within mentioned, and having grievously assaulted my Bailiffs, in contempt of the King, his crown and dignity, and absconded to the Chiltern Hundreds, into which Liberty, not being shire-land or guildable, I cannot enter, I am unable to make any other execution of the writ, as far as he is concerned."

My readers are well aware that, at the present day, a nominal stewardship connected with the Chiltern Hundreds, called an office of profit under the Crown, enables the member, by a species of

juggle,—if such a term may be used without a breach of privilege,—to resign his seat in complete violation of the principles of the constitution, and to the destruction of the purity of Parliament and the political independence of the individual. But, it is not so generally known, that this ancient domain, which now affords the means of retreating out of the House of Commons, was, in the fourteenth century, not unfrequently employed as a sanctuary, in which the Knight of the Shire took refuge in order to avoid being dragged into Parliament against his will. For, being a distinct jurisdiction, in which the Sheriff had no control, and where he could not *grab* the county member, it enabled the recusant to baffle the process, at least until the short session had closed.

As soon as the excitement occasioned by the chase had in some degree subsided, Sir Giles de Argentein commanded the Suitors to proceed to the election of a second Knight, as required by the writ. There was some doubt whether the Sheriff might not be entitled to declare that the election of Sir Richard de Pogeys was void, and that they were therefore bound to choose another in his place; but after a tumultuous discussion the ques-

tion was waived. Indeed, several of the Shiresmen maintained, that it was of no kind of consequence whether they returned one Knight or a score, since, whatever the number might be, the Knights of the Shire, like the Citizens appearing for London, had only a collective voice for the County,—one joint vote amongst them,—and not an individual suffrage Yet, though this was confidently asserted, nobody appeared to be certain as to the practice prevailing in Parliament, upon a point which, one would think, was of great importance in all times, and most vitally so at a period like the present, when, as Marco Polo easily collected from the conversation of the bystanders, there was a strong feeling of opposition against the Crown.

A pause ensued, and Sir Giles presented himself as if to receive the nomination of the Court. No one came forward, and the High Sheriff, with much more patience and forbearance than might have been expected from him, continued apparently waiting for the nomination. At this moment, a hawk which one of the followers of Sir Giles bore upon his fist, having broken her leash, soared upwards, and then descended in her flight, attracted by rather an ignoble object, a pigeon, after whom

she winged her way. This spectacle, as might be supposed, drew off the attention of the crowd,—Trafford, indeed, always maintained, to his dying day, that it was no accident, but that Martin-o'-the-Mews had slipped the leash when *nudged* by Sir Giles,—and during their diversion from the business, the Sheriff, after a few minutes' conversation with the Knights who were nearest to him, recalled the attention of the Shiresmen, by declaring that Sir Thomas de Turberville was fairly elected by the County, as the other Knight to serve for the same in Parliament, and that John att Green and Richard att Wood were his manucaptors.

This declaration excited a universal outcry of discontent and indignation amongst the Shiresmen. They whooped, scolded, groaned, and John Trafford, again acting as spokesman, loudly accused the Sheriff with jobbing and collusion, employing the most uncourteous and unmeasured language. "It is a repetition of the fraud and deceit which you practised at the last Parliament, when you levied seven pounds sterling for the wages of your ally and cater-cousin Sir Marmaduke Vavasour, being at the enormous rate of four shillings and eight-pence a day—two groats above the settled allowance—

whereas he was never duly elected by us, and we could have hired as good a member, aye, and a better one, who would have been glad to do all the work of the County for five pounds, yea, even five marks, and who would have agreed in the lump, to accept the said sum for all his expenses going and returning, and for all his keep at Westminster, let the Parliament sit as long as it might—yea, even for a whole month." Voices were rising louder and louder, and there was every appearance of a new storm. But the banner of Sir Giles de Argentein, emblazoned with the bearing allusive to his name—the three cups of silver—was elevated, the trumpets sounded, the horses were in motion, and the spearmen and knights, closing round the Sheriff, pierced through the crowd, and the meeting was dissolved.

Chapter III.

GUILDHALL.

As I have before observed, my imperfect materials merely afford broken passages from a narrative of which the greater portion has perished. Yet I apprehend that you, gentle Reader—and I address you as gentle, according to the old established usage, though it is very possible you are quite the contrary, and looking on me and my production with aspect of verjuice and lips of scorn,—nay, worse than all,—preparing to discharge your long outstanding tailor's bill, by cutting me up in your next review—that you, gentle Reader, may, in spite of these deficiencies, be able to form a very adequate idea of the objects here presented to your understanding.

There are on the outside of Lichfield Cathedral some singular monuments,—I think that Darwin has commented upon them,—by which my meaning may be exemplified. Of each individual statue, nothing more is preserved, than a head and

shoulders, and ankles and feet. These fragments, placed at the proper distances from each other, are built up in the wall: and though the eye sees nothing but parts of a figure, yet the mind sees all the remainder, and supplies all that is wanting. You have the entire effigy before you.—And I hope that, in like manner, I have enough left of the several personages, to give you as good a notion of what they were, at least for all practical purposes, even as though the whole of the original history had been extant and printed at large.

Resuming, therefore, my tale, I must state, that I am utterly unable to trace the exact road by which our Travellers reached London. All I do know is this, that Marco Polo arrived at a happy time, when there was a great deal of movement in the City, capable of exciting his curiosity. London did not claim the political attributes of sovereignty exercised by the Italian Republics, or the Teutonic Hanse towns: but our *Troynovant* did nevertheless, in practice, possess such a degree of self-government as frequently to exhibit the feelings of an inde pendent community. Whatever liberties the burgesses of London had held in the Anglo-Saxon age, —and I believe that the City was then in the

nature of a republic, subjected rather to the supremacy than to the authority of the *Emperor* of Britain—were secured to them by the Norman Conqueror, and ratified, confirmed, and amplified by each succeeding Monarch. To the fullest extent by which the forms and language of law could support their franchises, they were sustained by the most solemn compacts and assurances. And the additional guarantees afforded by the good stone walls which encircled the city, and by the forty thousand fighting men who dwelt within these ramparts, were sufficient to cause these privileges to be respected, even by the most powerful Sovereigns.

Not that the Londoners enjoyed these rights without disturbance. Repeatedly were talliages levied which they represented as enormous:—but the closer the sheep were shorn, the faster the wool grew; the harder the sponge was squeezed, the more it absorbed.—London's citizens actually throve in proportion to the pluckings which they sustained; and all the contemporary writers who narrate the exactions which they suffered, equally bear witness to their increasing property.

Occasions, also, more than once occurred, when their liberties were seized into the hands of the

Crown. These transient clouds were, however, simply the calamities of the free cities of Italy, in a mild and mitigated form: they were the result of the constant struggles between the Crown and the communities of the people, which form the peculiar characteristics of Europe, from and during the middle ages, even down to our own times. The greater degree of authority possessed by the Sovereigns of England, was, in truth, the safeguard of the people,—even when they disputed the Royal power,—even when that power was most abused. If Frederick Barbarossa could have summoned the citizens of Milan before his Exchequer, a heavy mulct might have been imposed upon them, but their walls would not have been prostrated, nor their city given up to spoil and destruction.

Not less conducive to the real independence of London, was the safety-valve, if such an expression may be employed, which the King's courts of justice afforded for the escape of the angry passions and dissensions of the citizens. They frequently pursued and persecuted one another with great virulence and animosity; yet, the existence of regular tribunals, by and through which vengeance could be enforced, even unjustly, prevented the

wholesale proscriptions of the Bianchi and the Neri, of Guelfs and Ghibelins. And though it was by no means agreeable to be outlawed without reason, still there was a wide difference between the most illegal legal proceeding of an English special commission of *oyer* and *terminer*, and the sentence of the democracy, who arrived at the *terminer* without the preliminary of the *oyer*, pronouncing the doom, by which you were banished, under the penalty of being burnt alive if you returned.

Nor amongst the causes of the well-being of London, must we omit the kindly influence of civic hospitality,—and long may it continue, and we be there to eat.—Constantly in the habit of assembling at the festive board, as well in the greater associations of the city, as in the smaller bodies of the guilds, our citizens, however much they might be at discord or variance, were always in the way of being brought together by good fellowship. When the rival parties at Florence would have been employed in razing each other's towers to the ground, our London factions united in demolishing the ramparts of a venison pasty. In fact, our English municipalities were placed exactly in the middle term, best calculated to insure the prosperity

of the people at large. The absence of a sufficient controlling power in the Sovereign of the Romano-Germanic Empire, allowed the several members of which it was composed to sever themselves into distinct communities, in which, after a painful and disturbed existence, every trace of real liberty has now expired. In France, the absence of sufficient consistency in the municipalities and provincial governments, enabled the Crown to overcome every obstacle, and to leave the people no other franchises except those held by the Sovereign's will and pleasure. And, after every revolution which that volcanic country sustains, its shaken elements gravitate again upon a central despotism. Not so in England, where the municipal communities were enabled to maintain their qualified independence, until the development of a general legislature, into which all the political powers of these minor orbs could merge for the benefit of the community at large.

If I were in a mood to theorize upon the scanty vestiges of the ancient state of society in London, I should be inclined to maintain, that the inhabitants, the Burhwara, or Burgesses, as they are termed in the Charter of William the Norman, were severed into two distinct classes,—the Aldermen,

Magnates, or Barons, the representatives of some very ancient and remote victorious race, in whom the powers of government principally rested,—and the Citizens at large, the descendants of a vanquished race, a mixed multitude, and who were perhaps themselves subdivided into various plebeian castes.

In some respects, however, the City might be considered as a federal State, and each of the districts or *Wards* of which it was composed, subsisted under the local government of an Alderman, the presiding magistrate of the little community. Several of these Rulers held their authority in full property. The Aldermanry descended from father to son, and might be sold by the son, if he chose to alienate his patrimonial inheritance. It may appear singular that such a species of authority in a great and populous city, should be susceptible of transfer by bargain and sale. But the inappropriateness will diminish when it is recollected, that the Aldermanry bore a great resemblance to a baronial jurisdiction, a lordship, an honour, or a manor, to which analogous rights of jurisdiction were appurtenant, and which might equally become the subject of dealings between party and party. Nor must it be forgotten that in this, as in many

other apparent peculiarities of the middle ages, the strangeness is increased by the obsolete garb which they assume. Jurisdiction is at this present day lawfully bought and sold. When a commission in the Dragoons is first purchased by a Cornet, he acquires, by payment of the regulation price, the inchoate right of sitting as a judge in a court-martial, and inflicting the heaviest punishments known to the law. Other Aldermen were elected by the "probi homines," the good men or inhabitants of the ward, holding office for life, but removable for misconduct; of deprivals some remarkable instances occur.

There were also various *Sokes*, as they were called, or jurisdictions analogous to the Aldermanries, also held in full property by their Lords, with important powers. In these, the Owner often possessed the then much-valued privilege of hanging the culprits belonging to his own demesne, or who had incautiously strayed into this legal preserve, a right known by the uncouth Teutonic terms of *in-fang-theof* and *out-fang-theof*. Such districts, which, as it may be remarked, existed in other towns, were often very minute. At Colchester, for example, we can distinguish one of these regalities

on so small a scale, that if the unlucky *in-gefangene-theof* had been placed in its centre, a hop, a step, and a jump, in school-boy fashion, would have carried him beyond the awful boundary.

The Lords of these *Sokes* appear to have been originally included amongst the municipal magistracy or rulers, though not usually reckoned as Aldermen. But amongst the functionaries, so denominated and called, there was nevertheless a Prelate whose Aldermanry had arisen out of a *Soke*, by rather a singular combination of circumstances, which placed him in a situation little analogous to his ecclesiastical calling. Before the Norman Conquest, there existed a certain Guild or body of Knights, denominated, in Anglo-Saxon, the *Cnihtena-gild*, and who possessed a plot of land just within the gate of the city, and thence called *the Port-soken*. These Knights retained their jurisdiction, as well as their land, in, and through, and after the great changes consequent upon the Norman invasion, until some time in the reign of Henry I., when they bestowed their territory upon the neighbouring convent of the Holy Trinity. By virtue of the transfer, the Prior of the Convent acquired the rank of an Alderman of the city. The demesne of the frater-

nity became, and still is, the well-known *Portsoken Ward:* whilst the name of *Nightingale-lane*, into which the denomination of the "*Cnihtena-gild land*" has passed by colloquial alteration, yet preserves a memorial of the ancient owners of the soil.

In this patrician order, these Aldermen, Magnates, or Barons, as the lineage of the remote conquerors, the government of the City appears to have been originally vested: but upon all important affairs concerning the interest of the whole community, consultation was to be had with their *subjects*, the entire body of Citizens in Folkmoot assembled. Of these occasions none was more urgent, than when the King's Justices itinerant appeared at the Tower of London.

The professed object of this periodical visitation, was the determination of "pleas of the Crown," or of all offences of which the King could take cognizance, either as supreme conservator of the peace, or in vindication of his rights and dignity, constituting, indeed, a wide field of inquiry. The Justices could punish the smallest and the greatest trespasses. From the encroachment of a footpath, up to high treason, manifold were indeed the defaults sure to be charged against not only the

individuals, but the aggregate community.—"And as, in such case, it is impossible for us Citizens to avoid being handled by the King and his Justices, it is a great point to obtain their good will; nor should we grudge or spare a liberal compliment to them, not omitting their clerks and ministers in the distribution of the same. Thus did our wise ancestors act, who so strenuously defended our liberties; and it is no shame in us to do the like, and to follow the example which they have shown."—These, are very nearly the words, of an ancient volume treasured in the civic archives. In the margin of the latter clause an emphatic "non bene" marks the dissent of a sturdy Town-clerk, who protests against such a mode of conciliating the ruling powers.

Practical prudence, however, prevailed over the theory of patriotism, and pecuniary compromises were neither unfrequent nor ineffectual. Transactions of this nature would necessarily impose some additional burthen upon the citizens. It was expedient to conduct the business in such a manner as to obtain the confidence of the people, and at the same time to manage with due caution and discretion. And a practice was introduced, of appointing a small

number, usually about twenty-four, out of the Folkmoot, who were to assist the magistrates in dealing with the representative of Royalty, or with Royalty itself, on behalf of the Community of citizens. A committee, in fact, by whom any proposition could be better discussed than by a large and tumultuous body: and who were dissolved when the business for which they had been appointed was concluded; though not, as we shall see hereafter, without exercising a permanent influence upon the municipal policy.

The tranquillity of the City was frequently disturbed by internal disputes, as well as by the various dissensions in the realm at large. But no alteration appears to have taken place in the Civic government, until the era of the famous Parliament convened at Oxford, under the auspices of Simon de Montfort, Earl of Leicester, an assembly to which the contemporary chroniclers have given the name of the *Mad Parliament*.—Hath it not most unfairly monopolized this title, to its own cruel disparagement?—at least so far as any fair comparison with the actings and doings of some of its honoured successors may be concerned.

By the provisions made in this same *Mad Par-*

liament, the King was virtually deprived of the Royal authority. Not indeed in style, for he retained his Crown upon his head, and all public enactments ran in his name; but all the powers by which a government could then be carried on, were transferred to the Barons, with whom the Citizens of London entered into a close alliance and confederacy. Professing, at the same time, all due respect for the Crown, they declared that they joined the Parliamentary rulers, "saving their allegiance to our Lord the King."—But the spirit of their submission may be exemplified by the following passage, which is nearly contemporary.—Thomas Fitz Thomas, when taking the oath of allegiance to the Sovereign, whom it was found convenient to retain as a pageant of royalty, explained himself by saying,—"My Lord King, we Londoners will be your faithful and devoted subjects, so long as you will be good King to us;"—or, in other words, "as long as you obey us, we, your humble servants, will obey you."

Concurrent with the great revolution in the State, was a corresponding revolution in the Civic community. Thomas Fitz Thomas, completely excluding the "Aldermen" or "Magnates" from

the dominion of the City, threw the whole power into the hands of the lower or lowest order of the people,—"calling themselves the Communia," a term borrowed from the opposite side of the Channel: and then denoting an alteration in the municipal policy, which, expounded in our modern political nomenclature, may be considered as designating an ultra-radical reform. A subversion, or rather inversion, of authority, which, though it shakes established institutions to the ground, never succeeds in obtaining for itself any permanent stability.

London now became a turbulent and disorganized republic, independent of the central government of the realm, and completely ruled by a democracy and its demagogue: for there really never was such a thing as an acephalous multitude. Base as the body of the reptile may be, a baser head is always its guide. "Our business,"—the ancient Civic chronicle relates—"was transacted as if no such thing as an Alderman existed in the whole universal world. Whatever Fitz Thomas had to do, he proposed to the Common people, advising with them, and them alone; and they cried out *ya! ya!*"—literally thus in the manuscript—"or *nay*,

nay! just as he chose, and there was no way or means of making them either do justice, or suffer justice, except according to their will."

It need not here be told, how Simon de Montfort fell in the field of Evesham, earning a hero's honour and a martyr's name. Popular predominance in the City, as it had risen and thriven concurrently with the prosperity of the Barons, so did it sympathetically shrink and contract when De Montfort's party was subdued.—In appearance, the Aldermen resumed the same preponderance and magisterial functions which they had previously enjoyed. Again were they seen upon the hustings in all their former pomp and pride, whilst Fitz Thomas, reviled and abandoned, was cast into a fetid dungeon.

I have said that this reinstatement of the City Magnates to their ancient preponderance, was effected in appearance. Particular and local is the fact; but the principle which it involves possesses a general and universal applicability.

It would be well for the peace of the world, were it possible for political partisans, of all sides and parties, to understand how entirely they miscalculate the elements of the courses in which their tutelary planets move. As the luminary recedes,

and diminishes, and fades away from the sight, they comfort themselves with the idea, that the Star is revolving in a parabola. However protracted the period may be, they ween it will, at length, reappear with accelerated rapidity and increased splendour. But, alas! it has flown off in an hyperbolic curve, never returning into the orbit from which it has once departed.

The Orangeman, revelling in imagination in the renewed delights of "Protestant ascendency" and "Croppies lie down:"—and the Inquisitor storing fagots for the future Auto da fé.—The *Ancien noble*, tottering upon his crutch in sure expectation that the fleur de lys will again unfold upon the scutcheon of Louis Quatorze, and the *de* regain its particular and monopolizing privileges:—and the son of "*la Jeune France*," gaily chanting the hymns of Berenger, as he watches, with the red night-cap of liberty on his brow, until the Republic is awakened from her slumbers.—The Cavalier confiding in the revival of the High Commission Court:—and the Roundhead, calculating upon the profitable and pleasing spectacle of the Sequestrators again hard at work in Haberdashers' Hall,—all are to be ranked in the same category with the Britons

awaiting the return of King Arthur from the fated fairy bower.

In such cases, there is much always to pardon, often to tolerate, sometimes to admire. Even undue veneration of the past is connected with the best feelings of our nature,—even the selfishness of the friends of a fallen cause is closely allied to gratitude. But truth must be told,—and it is the most egregious of follies to reject the lessons taught by the unvarying annals of mankind.

Never was there, and never can there be, a restoration by which authority, once absolutely extinguished, can possibly regain its pristine power. When the Statue is dragged from the pedestal, the very clamps which fixed the effigy so firmly to the support, have acted as levers in rending and wrenching the marble asunder. Place the image upon the dislocated basis, and it stands but to fall. Titles may be resumed and proclaimed, the voice of the herald drowned amidst the clangour of the pealing bells, the shouts of the multitude, the swelling notes of the clarion, and the blair of the trumpet. Again, upon the Tower's battlements, the broad emblazoned banner may be unfurled, and the bright regalia brought forth from their conceal-

ment to deck the Monarch returned from exile, and inaugurated upon his paternal throne. Bonfires blaze in the market-place, Conduits run with claret wine. Healths are drunk by the kneeling carousers in the Banquet chamber. Charles Stuart is in his Palace,—but the Stuart King is not restored.

The King never "gets his own again."—The broken bone will knit, and become even stronger than before the fracture; but, if the sceptre be once snapped asunder, the soldered stem never possesses the toughness of the original metal,—its solidity is destroyed.

But is there any reason to wonder, if the devices of mortal man, the shadows of a shade, are seen to waste and wane away?—Should we sorrow, because the stability of the everlasting hills is denied to the fabric raised upon dust and ashes? Must we not confess the truth, and submit, without repining, to the wisdom of the dispensation which decrees that when human institutions have once arrived at their fatal term, they never can be revived. During the convulsions which alter the level of society, new opinions have been adopted, new habits have been assumed. Young spirits have arisen, confident in

their own untaught conceit; whilst ranks of contending champions have sunk in the grave. Diversified as the human countenance is, by feature and expression, the human mind is still more varied by temper, education, rank, position, and intellect. Providence works by eliciting modes of thought, not cyclical, but successive; and in which man freely acts, though without the power of controlling their evolution. No era which has once gone by, can ever be brought back. Individuals are never reproduced: and the creatures, not merely of the last age, but of the last year, or even of the yesterday, will never more be found together. The same combinations will never recur, so long as the world endures.

The fitness of the forms possessed by the extinguished policy is utterly lost: and the same integrity which resisted the removal of the old landmarks, will, as consistently, refuse to disturb the new, within whose boundaries other rights of property have been acquired.—Blessed is the protecting hand.

But I must continue my versions of another passage of my manuscript, which, as far as I can judge, was originally extracted, and I hope without interpolation, from the year-book, or

chronicle, still kept in Guildhall. And the transactions accompanying the election of Walter Hervey to the Mayoralty, in the year 1272, will show how much the popular party, put down, but not put out, continued to act by means of the influence which recent events had bestowed.

The choice of the Lord Mayor, the chief Magistrate, who succeeded unto the *Port Gerefa* of the Anglo-Saxons, had always been claimed as belonging of right to the Aldermen, the men of worship of the municipality—a vestige, it may be supposed, of the ancient sovereignty of these Magistrates, when they were a distinct and conquering race.—Philip Taylor was by the Aldermen duly called to the Chair.—"*Nay*, *nay*, *nay*," vociferated the "Small Commons," assembled in the Guildhall, using the voices which they had so recently acquired, and which, according to the true and legitimate constitution, as "Liber Legum" informs us, they ought to have employed only for the purpose of cheering the nomination made by my masters, the Aldermen. "Nobody shall be our Mayor but Walter Hervey—Walter Hervey, he who hath already done good service to our cause;" —and as such, upon the Hustings was he installed.

Resistance on the part of the Aldermen against the overwhelming force of the multitude, was quite impracticable. As the stout reforming Common-Councilman said to the spare conservative Alderman, when they walked together out of the Egyptian Hall, after last Easter dinner—the Common-Councilman seizing the Alderman by the top button, and poking him under the fifth rib,—"I am free to confess you do us in the intellectual, my old boy: but we have all the physical on our side:"—and Hervey entered upon his office amidst thunders of applause. Some of the more thoughtful Citizens, it is true, distrusted the earnestness with which Hervey had sought the mayoralty, for, as they whispered,—"They had heard father and grandfather say, that when any man strives very hard to obtain the good place of Mayor of our City—or any good place—he is labouring for his own good, and not for the good of those who are under him." A sage observation, neither the gloss of the old Town Clerk, nor the result of the Monk of Croyland's acuteness and wisdom, but taken, as I find by a careful examination, verbatim from the original Civic chronicle.

Hervey, who had obtained a notion of the

suspicions which were rising against him, forthwith addressed the crowd from the hustings, with the greatest spirit and energy. He declared,—"That he most reluctantly came forward upon public grounds, to undertake so arduous and responsible an office. His inclinations and his interest tended entirely to th obscurity of private life; but still it was his duty, his imperative duty, however irksome it might be, humbly to obey the call of his constituents. Their wishes were his commands. For them, he was willing to sacrifice his domestic pleasures. For them, he gave up the comforts of his home. For them, he quitted the cheerful fireside, the blessings of his family circle, the endearments of his smiling children."—In this oration Hervey was interrupted by a shrill yell, proceeding from an open gallery, midheight in the Guildhall wall, where his wife and progeny had been stowed, and which was elicited by the forcible application of the maternal paw to the cheek of the most unruly of the urchins: but, though "evidently affected," as the newspapers have it, he proceeded.—"For them, he would sacrifice the care of his extensive concerns, and most gladly bear all the labour; in order to uphold the rights of the people against the rich, who were ever seeking to throw all the load

of taxes upon the poor. And, as to the calumny which had been so industriously circulated against him, he lifted up the adamantine shield of conscious integrity between his honest bosom and the envenomed shafts of his political antagonists; men who were willing to immolate every virtue upon the polluted altar of a bloated and factious minority. He fearlessly challenged the most searching inquiry into his public and private character; and, in particular, with respect to the base assertion that he had his own advancement or profit in view, he repelled the charge with ineffable scorn," &c. &c. &c. &c. &c. &c. In short, as appears by the notes faithfully taken by the Town Clerk, and recorded in the "Liber de Antiquis Legibus,"—(and to which for greater certainty I refer,)—Hervey made a capital speech, which lasted until he was entirely out of breath. Hervey said exactly the same kind of thing, said, under similar circumstances, by every party-man, whatever that party may be,—they are all alike—"the whole pedigree on 'em,"—Radical or Conservative, Whig or Tory.—He profusely showered down upon his adherents the clinking brass, which they professed to accept as sterling coin, fully knowing all the while, that the pieces were base metal: but satisfied that they would act

as a useful circulating medium during the contest in which they were engaged.

Conceiving themselves deeply aggrieved by this usurpation, for, as I have said before, there was no possibility of withstanding Hervey's nomination by the Folkmoot, the Aldermen forthwith proceeded to lay their complaints and grievances before the King's Council. This Tribunal, in which the King actually sat and presided, then exercised the jurisdiction over corporate bodies, now vested in the Court of King's Bench, where, as is well known, the Sovereign is present by fiction of law. That is to say, it was the Court in which the King, as Supreme Magistrate, decided upon the legality of the elections of those, who, holding office under him, were, as the case might require, to dispense justice or injustice to the Commonwealth in his name.

Hervey appeared before the same Court; and, from the minute account which has been preserved of these transactions, we can collect, that the Council sat either in the venerable "White Hall" of Edward the Confessor, formerly the House of Lords, but from which their Lordships have been so recently ousted by the Commons: or in the Painted Chamber, where the House of Lords are

still accommodated in a temporary way,—buildings to be contemplated with the feeling that every stone in their time-worn, fire-scathed walls, is a page in our Constitutional history.

Hundreds and thousands of partisans supported the Lord Mayor intrusive: they escorted and accompanied him on foot and on horseback, and by them, Westminster Hall was entirely filled. The Aldermen opened their case, but whilst they were pleading, the Crowd in the Hall took good care to be heard at the same time. In order to obtain an impartial adjudication, they stamped, they stumped, they hissed, they hooted, they yelled, they groaned, they hallooed, they bellowed,—"We are the Commons of the City—it is we who are the real Electors of the City—we will choose our Lord Mayor—and we will not have any Lord Mayor excepting Walter Hervey."

During this wild tumult, the King, Henry III., was literally on his death-bed, in an apartment of the Palace, close adjoining to the Hall. These conflicting claims greatly perplexed the members of the Council. Some legal difficulties really attended the most calm examination of the question. Half intimidated by the roars sounding in their ears,

they felt a natural anxiety to remove further disquietude from the expiring Monarch; and, actuated by these motives, they adjourned the discussion till the morrow, when they required the parties to attend again. At the same time, the Lord Mayor intrusive was strictly charged that his escort should not exceed ten in number.

Hervey received this command, and bowed assent: the Citizens returned back to the City, and forthwith dispersed to their mid-day meal, for whatever political disputes are going on, folks will dine, if they can:—if they can't, they foment the disputes to win the dinner.

Early in the afternoon, Hervey called a full and free Folkmoot of the whole body of the Citizens, with the slight exception of all the Aldermen, and of all those who adhered to the Aristocratic party; and the bats and clubs displayed in the vicinity of Guildhall, gave the minority constructive notice not to appear.

Hervey, addressing the multitude, strictly enjoined them, in the King's name, and on the King's behalf, to follow him on the subsequent day, for the purpose of assisting at the hearing of the cause before the Council: an injunction, which,

whilst it displays the consummate assurance of the popular leader, equally shows the strong attachment of the people to the forms of a Monarchy.

The crowd most readily obeyed. Congregating at the appointed time, they escorted Hervey to Westminster in as great numbers as on the yesterday, and with equal fury and tempest. The proceedings were resumed without any substantial variation. Again the Aldermen opened their case: again the good Citizens accompanied the pleadings of the Aldermen, by a constant chorus of—"Hervey for ever!" "It is we who are the real Electors:—we will choose our own Lord Mayor:—and we will not have any Lord Mayor, unless he be Walter Hervey." Various efforts were made by the Council to effect a compromise. With other very interesting details, I must, however, reserve them for the new and complete History of London now in preparation by me, and to which I should like to add an ample Appendix of illustrative documents, taken from authentic records. Sorry, however, am I to state, that the materials will long continue laid up in my portfolio, if, indeed, they ever appear; for my shrewd and active publisher, to whom I proposed the work with the greatest possible

humility, put me down smiling, with his most civil but inflexible decree,—"I can't do the thing, except at your own risk.—Quartos don't sell."

It is high time that some legislative measure should be adopted in relation to the distressed operatives in our line: and that in the pending Bill, for "giving publicity to the prices of handloom labour," "literary labour" be also included.—I do hope that the honourable member who has the charge of the Bill will think of us, and move, at least, for a Committee; the state of our branch of the trade being such as most urgently to require immediate relief. I belong to that ancient and highly respectable, but daily diminishing class of book-makers, who steal the materials for the brooms —that is all fair—but then *we* are quite beat out of the market, by those who steal the brooms ready-made. Honour there is amongst thieves, but none amongst authors. Crows will not pick out other crows' eyes, but authors do. Dog will not eat dog, but author does. And, taken altogether, we authors are certainly the most unkindly kind of beasts in existence.

Well, Reader, it is more your loss than mine, if you refuse to encourage sound learning: for,

since my publisher said that "Quartos don't sell," I infer that you won't buy;—so I must revert to my brief and desultory tale.

During these proceedings, Henry III. died, an event which was considered by the common people as suspending the Royal authority, until fealty had been performed to his successor. Forthwith a patriotic plot was organized for diminishing the baneful influence of the Aristocracy, by a general plunder of the Aldermen and the richer Citizens. This scheme was frustrated, in great measure, through the vigilance and activity of Humphry de Bohun, Earl of Gloucester, who, advancing into the City, caused the "King's peace" to be proclaimed. This ceremony was of great legal importance. Until the Sovereign imparted his protection to his subjects by a formal act and compact, there was a species of interregnum: and it seems to have been doubted whether any offences became cognizable before the Royal tribunals. Bohun, an acute politician, and an old soldier, went to Guildhall: and, having with some little difficulty collected what, in Newspaper language, is called "the sense of the City," a phrase, however, which a foreigner could not always interpret by a reference to Johnson's Dictionary, he advised the Aldermen

to alter their whole course,—to desist from opposing the general feeling of the multitude, and to admit Hervey to the Mayoralty.

Such advice is always more easily given than received. Indeed, Thomas Aquinas, in his celebrated treatise, *De Regimine*, addressed to the Prime Minister of the King of Cyprus, says that is the case with all good advice given to people in power. This treatise has been often printed, from an imperfect copy, but the diligent antiquary, Charles Julius Bertram, professor of the English language at the Royal Military Academy, Copenhagen, discovered a more complete text upon the same shelf with his Richard of Cirencester. Both the manuscripts were deposited, by Dr. Stukely, to whom they were transmitted by Professor Bertram, in the celebrated Cheteham library at Manchester, where they now are: and it is this Cheteham Aquinas which I use.

"No man in office, in the Kingdom of Cyprus,"—quoth Aquinas,—"likes good advice much, whatever he may pretend. If he tells you he does, don't believe him." Thomas Aquinas then devotes the sixteenth, seventeenth, and eighteenth chapters of his said work, to an elaborate and very instructive comparison between medicine and good advice.

Medicine is never nice to the taste, neither is the other article.

"Three modes there are,"—Aquinas continues,—"of administering the medicine of good advice to Prime Ministers of the King of Cyprus, or other great men.

"The first is to pour it down their throats by a drench, as you do to mules. This,"—Thomas Aquinas says,—"is thought by certain practitioners to be very effectual. Sometimes there is no other way. But then the patients do not fancy it: though it does good to them, it generally does harm to the physician. They recollect the disagreeableness of the operation, and forget the benefit which has resulted to them. They are cured of their sickness, but they are sick of the Doctor: and he is not called in again."—And, indeed, I believe that Thomas Aquinas is in the right,—for the patriotic rallying song of the brave Spanish Constitutionalists, "*Tragala, perro, tragala,*" or "*Gulp it, cur, gulp it,*" is not a tune which sounds harmoniously in any one's ears.—It is not really admired by the hungriest dog that eats the dirtiest pudding; not even by the pledged representative of a Radical constituency.

The second mode, according to Aquinas, of administering the medicine of good advice to

Prime Ministers of the King of Cyprus, or other great men, is, as you do to little children, to mix the unpleasant stuff up with some sweet thing. If they do not discover the trick, this may answer once or twice; but the chance is that they will. When the innocent device is detected, they ever after spit and sputter at the cup: and dangers may be incurred by the physician, which I dare not describe.

The third and last mode, according to Aquinas, of administering the medicine of good advice to Prime Ministers of the King of Cyprus, or other great men, is, neither to drench nor to coax: but, treating the patient as a creature of reason, to state, in plain terms, the nature of his complaint, and the ingredients of the prescription which you propose to employ. But to effect this result requires the combination of equal good sense and experience in both parties,—Patient and Doctor,—a combination rare indeed, and of which no mathematician can calculate the chance. Mankind may be defined as a species which does not grow wise by experience. Individuals may improve, but the species never.

The Aldermen, who, in their own estimation at least, were far greater men than a whole cabinet of

Prime Ministers, received Bohun's cathartic with great reluctance. Their Worships coughed, and hemmed, and demurred. The minority looked confessedly silly. The majority tried to look wise. Had the proportions been inverted, the general look of the whole Court would have continued unaltered.—What was to be done? All stated that they wished to let the matter remain in the hands of a committee of ten persons, five named by the Aldermen, and five by Hervey, who had been already appointed for the purpose of determining the validity of the election. But the Earl having probably some good reason for supposing that the matter would not thus be brought to a satisfactory termination, persisted steadily in his opinion, and required that a Folkmoot should be holden the following day in St. Paul's Churchyard.

In this accustomed spot, the whole body of Citizens, possessing or claiming the elective franchise, assembled. The Earl, who was assisted by William de Merton, the Chancellor,—well known to my Oxford readers as the munificent founder of the College which still bears his name,—the Archbishop of Canterbury, and other Lords of

the Council, then held a private meeting with the Aldermen in the Chapterhouse, advising them again, in a friendly way, to assent to Hervey's election. If this concession were refused, the Earl hinted that something worse might happen; and the Aldermen most unwillingly complied. In such cases our phrase is, that the assenting party makes a virtue of necessity:—I should like to change the idiom, and say that necessity makes the virtue. But, be that as it may,—Hervey, by direction of the Earl, engaged to abstain from any aggression against the members of the party who had opposed him. And the Lord Chancellor Merton, for the purpose of giving a solemn ratification to the transaction, came forward, at St. Paul's Cross, and graciously declared to the crowd how the choice, made by the great body of the Citizens, had been accepted and confirmed.—In fact, the people substantially gained the victory.

To the increasing weight and influence of the Civic Commons, thus manifested, we may unquestionably attribute a most important alteration in the municipal constitution; and which united the two classes, hitherto separated as the ruling and the ruled classes into one community. These

transactions not having been hitherto explained by Strype or Stowe, a very brief notice of them may not be entirely unacceptable in this our age of reform.

During the earlier periods, the powers of government in London were exercised by the Magnates, or Patrician order. As far as we can collect, they disclaimed any legal responsibility towards the inferior Citizens: but they were controlled in an irregular manner by the expediency of obtaining the cordial co-operation of the people on those important occasions, in which the interests of the whole body were concerned.

Aldermen, in those days, had occasionally a perception of the method which it was prudent to adopt as the means of conciliating the community. To have asked the assent of the "Small Commons," to have made them parties to a legislative act, would have been a degradation to these men of estate. But if the advice of the people was obtained, those who gave the counsel would be mixed up in the business: and not only desirous to promote, but become responsible for its issue. Hence arose the practice of selecting the Committees of twenty-five, for the purpose of treating with the King, or his

Justices, in the manner already described: and these Committees gradually gave rise to a permanent branch of the Civic Legislature.

"I guess,"—said the philosophical supercargo, Jonathan Downing, when he wrote home from Canton to his uncle the Major,—"that there really be but two sorts of good government in the nature of things:—Bamboo, or the like, as in China;—and Bamboozle, or the like, as in the old Country;—but, we, in the States, use 'em both, and our's is the grandest government in the universe,—Bamboo for the Niggers, and Bamboozle for ourselves."

A distinguished orator, whom I am proud to call "my friend," the grace and ornament of the Marybone vestry, tells me, further, that Man is an animal whom it is more easy to lead than to drive. If you can but tickle him up through his vanity, he is just like the Irishman's pig—you can make him believe he is going to Cork all the while you are taking him to Fermoy. Whatever collective body you may be dealing with—I must not be personal or particular—he, my authority, "my friend," says it is just the same. Make them—your mob, your members, your mob-members, or your mob of

members—pleased with themselves, by teaching them to rely on their own wisdom, and you will do more with them than if you had done what no living creature has ever yet been able to do,—than if you had read Bentham Dumont's "Tactique des Assemblées Législatives," from end to end.

No one perceived the tendency of the alteration, introduced by the Committees of Citizens: no one felt the extent to which it would lead. New political institutions originate just as a path is made in a field. The first person who crosses the grass, treads it down. The mass of elastic verdure immediately rises up again: nevertheless some few of the more limber stalks and slender blades are bruised and crushed, and continue prostrate on the ground; yet so slight is the impression made upon the herbage, that the clearest eyesight can hardly discover the harm. After the first passenger, however, other people follow; and within a little while, marks of their footsteps begin to be perceivable. Nobody noticed the first footsteps. At what period they became visible, nobody can recollect: but now, there the footsteps are, the grass has changed its colour, the depressions

are distinct, and they direct other wayfarers to follow the same line.

Not long afterwards, bits and patches of the soil, where very recently the grass was only flattened and trodden down, are now worn quite bare. You see the naked earth; the roots of the grass are dried, the grass is killed,—it springs up no more; and then the bare places gradually and gradually extend, till the brown devours the intervening green: the bare-worn places join one another, all the grass between them is destroyed, and the continuous path is formed.

But the path does not continue single. One passenger treads upon the bounding grass to suit his convenience: another, wantonly: a third for want of thought;—more footsteps, more bare places. Tracks enlarge the path on either side; and these means of transit invite so many passengers that they break down the hedges for their further accommodation, without waiting to ask the owner's leave. The trespass has received the sanction of usage: and the law, however unwillingly, is compelled to pronounce the judgment that a public right of way has been acquired, which can never more be denied or closed.

When this happens, how often does the Proprietor regret that he did not take due measures for preventing the invasion, by decidedly stopping up the path at first, when he was possessed both of the right and the power. There is a moment when you can warn off the trespassers and stop up the path; but if once forborne, your power is gone for ever.—And then all that you can do is to diminish the mischief, by making a stile so as to let the folks go easily over.—Take matters quietly, when they have come to this pass, for there is no help.—Grudge not what you have lost; save what you can.

I must return, however, to the events which have extorted this simile from the Monk of Croyland,—for you must not suppose that a word of it is mine own. The custom adopted by the Aldermen, of advising with the Committees of Citizens, a usage appearing to have been in vogue in the earlier portion of the reign of Henry III., and possibly at a more remote period, expanded, in the following reign, into another practice; namely, that upon most matters of internal legislature or business, a certain number of good and discreet men were summoned, or called, from the several wards, and sworn to *consult* with the Aldermen.

They were to help their superiors by their experience: to let them know what the people thought, to intimate what would please the people: and to aid them in feeling out how far they could venture to go, in what would assuredly not please the people, but to which all governments end and tend, to make the people pay,—in short, to carry on the whole effective administration of the Civic community. It is true that the City Magistrates continued to hold up their heads as high as they could. But their position, though they would hardly believe it, had been totally changed.

In theory, it was still unnecessary for the Aldermen to solicit the opinions of the territorial Representatives; and the Aldermen continued, as they still are, a distinct, and, in some respects, a sovereign and conflicting Court, and with very large claims of authority, according to the Civic theory and the traditions of the Hall. But, in practice, no 'Common Council' was ever held without the presence of the Delegates of the Community. The *Ordo* and the *Plebs* were conjoined.

The mode, indeed, of nominating the members of the Common Council sustained various revolutions and changes, all of which my beforemen-

tioned quarto is intended fully to expound and declare. From the time when Marco Polo visited London down to the present day, the path has continued widening. The Aldermen have let go the end of the rope. Often have they tried to catch at it, but in vain: and the good citizen Commoners of London have not only kept the rope in their hands, but seem likely at no distant period to engross every yard of it to themselves.

Such, then, was the state of London when the metropolis was visited by our Venetian Traveller; and the City exhibited the full and vigorous activity of a rising Commonwealth. Marco had obtained good information concerning the general aspect of English Society; and,—"I had expected,"—said he, as he was walking along Newgate Street, in company with the Friar,—"to have found amongst the common people in this country, more evident tokens of the Conquest,—recent, I may call it,—effected here by the Duke of Normandy. Though a stranger, I am sufficiently acquainted with your language to chaffer and cheapen with any gossip in your markets: but, I cannot discern any *Romance*, in the dialect of the English Landsman. You, Commons, are all

Tedeschi, at the present day. The speech of the Flemings seems to me to differ from your English, scarcely so much as the *Volgare illustre* of Florence, from our Venetian language."

"But,"—replied the Friar,—"though the languages may not be much mixed, they flourish concurrently;—what say you to the employment of the French, as some people call the *Romance* language, in court and camp, in all matters of business, even in this city?"

"I will admit,"—answered Marco,—"that the first introduction of that tongue might have been the result of conquest. Fully am I also aware that, in consequence of ancient recollections, it is considered as savouring of gentle birth, and betokening nobility,—yet, we thereby only obtain an incomplete proof or test of the point at issue. The French speech has become a language of general intercourse throughout Western Christendom.—'Son,' says the King of Norway, in his Book of Sage Instruction, 'learn *Welch*, the Welch of France, for that is the language which goes widest in this universal world;' and I need not tell you, that by the *Welch*,—that is to say, *strange*,—he means the dialect prevailing in Modern Gaul.

Messer Brunetto Latini tells me, that he intends first to try his pen in French, for the same reason. But, waiving this discussion, I ask for the more evident tokens of laws, and rights, and privileges, distinguishing the conquerors from the conquered, and retaining the Saxon race by positive institutions, in a condition of political inferiority.—Is this the case in England?"

"Aye, Marco,"—replied the Friar, with a good-tempered smile of encouragement,—"you have discovered the clue, by which the inquirer will be most surely guided. Though I tried to put you on a wrong scent, you have found your way again. No, it is indeed a marvel, that so few chapters can be clearly traced in our jurisprudence to the Norman invasion as a cause.

"Popular opinion teaches otherwise. Visions of happiness, wholly inconsistent with the moral conditions of our earth,—Landscapes tinged with ethereal colours, as if seen through the rainbow,—are amongst the constantly recurring errors of the human mind, willing to delude and comfort itself with the belief that sin and misery can be subdued and eradicated by human policy and power."

"Ask those sturdy peasantry, whom you saw at the Shiremoot the other day, they will certainly tell you that all the 'servage,' and all the oppressions of the land, were occasioned by the Norman Conquest. To the era of the Anglo-Saxons, they ascribe the perfection of good government, impartial justice, and universal prosperity.

"In the days of Alfred, they tell you, the golden bracelets, which were hung by the road-side, continued untouched by the spoiler. Fondly is it supposed that the vigilance of the Anglo-Saxon Monarch had repressed all violence; whilst the universal well-being and affluence of the people had withdrawn all temptation to crime: a picture, which, although avouched by many a grave Chronicler, possesses about as much veracity as the description given by the rhyme of Cockney Land, where, as they say,—

> Strewed with gold and silver sheen,
> In Cockneye streets no molde is seen;
> Pancakes be the shingles alle,
> Of churche and cloister, bower and halle;
> Running rivers, grete and fine,
> Of hypocras, and ale, and wine;

And which same Cockney Land is localised, by popular humour, in the good city of London.

"With respect to the political condition of our country, I believe, however, that the main body of the English nation continued unscattered and unbroken, beneath the rule of the foreigners to whom the superiority of the soil was transferred.

"A large proportion of our Earls and Nobles certainly fell in the field of Hastings: most of the others were forcibly dispossessed. Still, I do not doubt, but that many of the lesser Thanes retained their lands, under the obligation of rendering homage to Norman superiors, forming a race of middle-men, between the Barons and the tillers of the soil.

"If time allowed, I could tell ye how Edwin of Sharnburne was confirmed in his domain by the Norman Sovereign. Were not the Thanes of Brougham and of Triermain, in the distant North, content to wear and bear a Norman name, veiling their old English ancestry? And, recollect ye not John Trafford, the sturdy antagonist of the Sheriff: he who took so prominent a part in the Election, a scene by which you were so much amused?"

"I do."

"Well,—if John Trafford were armed for the muster of the Royal host, you would see upon his helmet a strange and uncouth crest: a man armed with a flail. And this, the bearing of the family, betokens their descent and history.

"Thurkill, whose name stands at the head of the Trafford genealogy:—the Lancashire Traffords, the Cheshire Traffords, and the branch settled more recently in our county, are all one family:—prudently refrained from continuing in arms after William had been consecrated at Westminster as Sovereign of the realm. He continued at home, patiently, yet anxiously, awaiting the result; till at length the expected intelligence reached him, that a Norman marauder, who had recently ravaged the country, and lived at free quarters in that Hundred, was now guerdoned by a mandate, a writ and seal, as it was termed, from the King, commanding Thurkill to surrender up his lands.

"Gislebert Mallore, when he arrived at Trafford, was neither welcomed, nor resisted. The gate of the curtilage was open, and the well-timbered house was tenanted merely by the maiden and the child. But when the foreigner stalked about the homestead, and examined with eager curiosity the

possessions which he came to seize, the stables, and the byre, and the barn; he found in the latter, a sturdy Thresher, intent upon his work, swinging his large, long, heavy flail, whose rhythmical strokes raised clouds of chaff, rising with each heavy blow, and filling the air.

"Upon the entrance of Gislebert, the Thresher intermitted his labour. Stern were his looks, but his language was cautious, almost courteous; and, producing a purse of decent magnitude, he made himself known as Thurkill, the Lord of Trafford. Strange and awkward was the greeting, as may be well supposed. But Thurkill contrived to intimate, that possibly Sir Gislebert might prefer returning home with the value of the harvests during the last three years, rather than quit his castle of stone and lime in the smiling plains of Normandy. Would it be worth his while to migrate to this poor, cold, and rude domain? whilst, as Thurkill further hinted, the render of a pair of gilt spurs at Martinmas, and the accustomed suit and service due for the *Town* of Trafford to the Hallmoot of Oldthorpe Mallory—a *Soke* which Gislebert had acquired, and which he had designated by this Anglo-Norman compound,—would

preserve to him all the honours of the Seigniory. Thus saying, Thurkill began swinging his flail again. The homestead in the meanwhile had been filled with a host of English churls, whose lines and ranks bristled with scythes and pitch-forks. Gislebert, wholly unaccompanied as he was, did not feel entire comfort in his situation, and giving one glance at the gold, and another at the flail,—the largest, longest, and heaviest—(as he afterwards told his wife,)—he ever set eyes upon; he did not feel very indignant when the purse dropped into his palm, which, in medical fashion, happened, by the merest chance imaginable, to be upturned, whilst he was looking the other way. And, wafted by a favourable wind from Southampton to St. Valery, Gislebert gladly permitted Thurkill to continue in the possession of the paternal acres, which his remote posterity yet enjoy."

"But if, as you say, the Anglo-Saxon population continued unbroken on the whole, do you think that there were many Saxons who managed with the adroitness of Thurkill, or that the Conqueror did not alter any of the laws and customs which he found?"

"In this crowded and noisy street I cannot well discuss a very complicated subject, which, perhaps, we may resume at a more fitting opportunity. At present, I will only give you one argumentative fact, or one fact in place of argument.

"You know better than I do, how, whilome the law, under which the individual lived, was the best part and portion of his inheritance. The law was literally his birth-right,—it regulated the price of his honour, his life, and his limbs,—all of which were taxed and valued by an established tariff or rule, so that, when two rival tribes or families settled their accounts, from the price which the heirs of Walter had to receive in compensation for the life of their slaughtered kinsman, was to be deducted the value of the arm, or the hand, or the finger, which Robert, his assailant, had lost in the affray. The Noble, whose long-bearded ancestors had followed King Alboin to Milan, retained, even in the days of your grandsire, Marco, the right of being judged according to the Edict of King Rothar; whilst one of the Roman Savelli or Frangipani, tracing their ancestry to the patricians of the Capitol, though chancing to dwell in the same mansion on Lom-

bard ground, reclaimed the privileges imparted by the awful shades of Theodosius and Justinian.

"Faint tokens of a difference of laws and privilege between the Norman and the Englishman may be discerned in the age of the Conqueror, but after the reign of our Rufus,—whose by-name is identical with that of the Lombard *Rothar*—when we may suppose that the greater portion of the Normans in the first degree, had departed, we had not a trace of any such patrimonial law, which would have been assuredly insisted upon by them, had that law continued ruling and predominant.—When the Anglo-Norman Nobles have sought to obtain a rightful defence against any invasion of their rights or possessions, do you know whose protection they have invoked?"

"Not I,"—quoth Marco, with a jerk of impatience.

"Did they cry out 'Haro!' or claim the laws of Rollo?"—continued Bacon, with the placid tranquillity of an experienced lecturer.—"They would just as soon have claimed the tutelar patronage of Richard sans Peur, or Robert le Diable. No! What these Anglo-Normans have always asked

and demanded, are, the laws of Edward the Confessor; and whatever franchises they have, or had, they claim as the inheritance of England. Nay, what is even more remarkable, they have tried to bring England into Normandy:—they are willing to believe that their own country customs are transmitted to them from the wisdom and equity of the Confessor: and that the *grand Coustumier* of the Norman Duchy was grounded upon the jurisprudence of the Anglo-Saxon King."

Marco, unlike the Friar, was a most obedient hearer, and anxious to obtain instruction: but his toleration was now almost worn out. And though the hand clapped before his mouth concealed what was going on behind it, yet—Reader—the closing of his eyes, and the soughing of the inspiration, revealed the yawn, which doubtless, at this very moment, exercises its sympathetic influence upon you.—If it does not, I shall be much surprised.

Marco, however, was compelled to hear a little more—far less fortunate in that respect than you are, Reader,—for you may close the book if you choose, and, as I presume you have paid for it, I shall not be the worse even if you throw it behind

the fire. But Marco was pinioned to the stake, he might wince under the infliction, but he could not flee; will'ee, nill'ee, he was compelled to submit to the sequence of Bacon's colloquial essay.

"From these facts,"—continued Bacon—"we cannot fail to observe that the Anglo-Saxon laws were considered as wise and equitable. Affording a comparative degree of tranquillity, and a protection to all the inhabitants of the land, the conquerors adopted them as their own. I do not deny, that, in the ranks and orders of society, a curious inquirer may not suppose, that he traces the vestiges of the subjection of race to race. But I would rather refer these distinctions to a remote era. Perhaps to the subjugation of Albion by the Britons, by the Saxon tribes. Perhaps even, to still earlier conquests, effected by these tribes in their migrations, like your friends the Tartars, and which may have brought the Angles and the Saxons into this country as a mixed host of suzerains and vassals from the shores of the Northern Sea. One important point, is not a matter of doubt and uncertainty. The most grievous characteristics of our predial servitude are found in the Code of

Imperial Rome. Heavier was the thraldom which pressed upon the Colonists when Britain was governed by the Prætor, than the services demanded by the Norman Lord . . . . ."

Whilst thus speaking, the solemn chant of the funeral psalm was heard, and the lyke-wake train was seen advancing towards them.

There was nothing new, or strange, or singular, about the burial procession particularly calculated to excite the attention of Marco Polo. A horseman bearing the crested helmet, the spurs, the gold-hilted sword, the emblazoned shield, announced, by conventional tokens known throughout the whole of feudal Europe, that the deceased must be a Baron, or one possessing the rank of nobility. The " De profundis" of the stoled priest spake the universal language adopted by the most sublime of human compositions, the Liturgy of Western Christendom. Yet, though no objects appeared which could awaken any lively curiosity in the Traveller, there was much in their very familiarity to excite the sympathy of the wanderer in a foreign land. With an altered tone he said to the Friar, " Saddened is the spirit of the pilgrim, by the dying twilight and the plaining vesper-bell. But he

who braves every danger for himself, may feel his heart sink within him when the pageant of triumphant Death brings to his mind the thought, that those from whom, as he weened, he parted for a little while only, may have been already borne to the sepulchre. Yet there is also a great and enduring comfort to the traveller in Christendom. However uncouth may be the speech of the races amongst whom the pilgrim sojourns, however diversified may be the customs of the regions which he visits, let him enter the portal of the Church, or hear, as I do now, the voice of the Minister of the Gospel, and he is present with his own, though Alps and Oceans may sever them asunder. There is one spot where the pilgrim always finds his home. We are all one people when we come before the altar of the Lord."

During this discourse the procession had entered the Cemetery of St. Martin-le-Grand, a secluded inclosure. Marco Polo, slightly desirous to know whose obsequies he had witnessed, yet hardly caring for the answer, carelessly asked the name of the deceased from a bystander, who, having lingered behind the other followers of the corpse,

had fallen, as an acquaintance, into conversation with the Friar.

"Simon de Frowyk, Alderman of Langbourne Ward,"—was the reply.

"An Alderman, one of your City Magistrates?" —said Marco.

"Aye—and, therefore, according to the ancient custom of our city, we honoured him as a Baron whilst he lived. Shield and banner hang over his tomb: and with the honours of a Baron do we adorn his memory. My Lord Alan la Zouche himself has no greater dignity in his Castle of Ashby than his bondsman possessed within our London franchise."

"His bondsman, say you?"

"Even so,—the Alderman was a villain by birth and blood, and the churls his kinsmen, are now holding their lands by servile tenure. Lord Alan, it is true, made a bold attempt to detain the Citizen, when he found him on his glebe, and claimed him as a fugitive. But the freedom of London, once obtained, clears off all stains of servitude. After a well-mooted plea before the King's Justices at Westminster, which made Master Recorder, who was one of the counsel on our side,

somewhat the richer, the emancipation of Simon de Frowyk was established beyond the possibility of further controversy. And the suffrages of his fellow-citizens then raised him to the rank which he so deservedly enjoyed."

"You could not, friend Marco,"—said the Friar —"have possibly found a better instructor in our Civic Laws and Antiquities than Master Andrew Horne, who, though young in years, is old in lore. He is one of the few who can read our old English Saxon character with readiness; and he has extracted the very quintessence of the Doombook, which the Citizens treasure in their municipal archives."

"Yea,"—exclaimed Andrew—"but the characters are fading, the leaves are crumbling into dust; the precious volume will never reach a future age, and the authenticity of Alfred's wise judgments, which I, Andrew Horne, have from thence transcribed in my 'Mirror of Justices,' will perhaps be doubted by a sceptical and unthankful posterity."

The region of the city which they had now reached bore the appearance of the most venerable antiquity. Marco, gazing attentively at the nearest of the buildings, in which ranges of massy pillars,

crowned with rude Corinthianesque capitals, supported many a deep-foliaged arch, said to his companions—"I could almost fancy the solid fabric to have been modelled from the palace of the Gothic Theodoric. Regal, this mansion seems to have been: and who was the Monarch by whose refulgent effigy the arched portal is graced?"

The statue fully deserved the epithet thus bestowed upon it by the Traveller. According to the ancient custom, which, with whimsical conceit, we call barbarous, since it was exuberantly practised by the Grecian artists, the image representing a Royal Personage, arrayed in purple, and crowned with an Imperial diadem, was illuminated like a missal. Plaited with threads of gold, the long tresses of his yellow hair flowed even below his girdle: the sword was sheathed by his side. In the one hand, he held the wand of Justice, surmounted by the Dove of Peace: with the other, he proffered to a group of kneeling Burgesses, a scroll or charter, upon which the memorable verses,—

> As free
> Make I thee,
> As heart may think, or eye may see—

were deeply engraved.

"It was even he, who whilome dwelt here,"—replied Andrew, reading, from another inscription on the base of the statue,—"The glorious Athelstane, King of the Saxons, King of the English, Dominator of the Scotts, Ruler of the Nations, Sovereign of Albion and Emperor of Britaine, and all the circumadjacent lands and islands."

"Proud titles,"—said Marco Polo—"for the Monarch of a remote barbarian realm, wholly severed from the rest of the world."

"The verse of the Roman Poet," replied Bacon —"was contradicted by the policy of the state—the provinces of Britain became an integral portion of the great Fourth Monarchy, and at the period when the Anglo-Saxon Ruler of this Island first assumed the Imperial style, the supremacy of Western Europe, with exceptions too trifling to require notice, was shared between them and the Carlovingian Cæsar. Britain was as a twin Empire."

"But now,"—said Master Andrew—"we Citizens reverence our Athelstane, as the wise and gracious Sovereign who laboured to establish the municipal liberties of England.—Hence, such memorials as you now behold, grace the Moot-

halls of the chiefest Burghs of his ancient dominions. Athelstane stands as the guardian of their rights. Behold the Son of the Shepherdess; listen to his words:—

> As free
> Make I thee,
> As heart may think, or eye may see:

and had his largesses obtained, or retained their full effect, no less would now have been the liberties of every community within these realms.—These are the rights for which we strive. Though long delayed, the day will come when none shall rule over us, except at *our* pleasure, and according to *our* voice and will."

Marco—hearing these words—looked earnestly at the speaker, whose pale, hollow, and thoughtful countenance was instantly suffused with a deep but transient blush of emotion; he perceived that Marco was trying to read his inmost thoughts,—perhaps had divined them.

This was, to a certain extent, true. But although Marco could well ascertain that Andrew would have been the first to raise the cry, *Popolo, Popolo*, in the London Commonwealth: yet he could not discover the peculiar and national

character of the visions in which the Citizen indulged.

In the Middle Ages, history had the same practical influence upon men's actions, through the medium of the imagination, that the themes of political economy and government now produce through the calculating and reasoning powers. Barren as the mediæval Chroniclers appear to the modern student, their facts no less than their fables operated with vital intensity upon the mind. Palled, surfeited, overwhelmed, in our era, with the empty nomenclature of pseudo-information, it is we who are unable to appreciate the effect produced by these compositions, when every idea was a belief, when words were realities.

To us, the events of past times are as the macerated specimens of ancient art in the museum: gewgaws without power, supplying a study to the giggling school-girl, and a subject to the artist, an essay to the virtuoso, a number in the catalogue, and a block to be entombed in the chilling wall.—To our forefathers, the events of past times were living forms, voices which were heard, guides who directed, leaders who commanded, teachers to be obeyed. In the same manner as Rienzi received

his call to the tribunate through the perusal of the moss-grown inscription, speaking the language of Old Rome, and the contemplation of the hollow arch which had echoed to the wheels of the chariot of the Cæsars, so did historical traditions, embodied in the lay, the law, or the prophecy, vague, and awful, constantly feed and nourish a mysterious spirit of recovering a long-lost liberty.

Strange ideas were secretly cherished amongst us in England of restoring some member of the true Saxon race, some descendant of the ancient Kings, under whom the Commons alone should exist, all intermediate distinctions being destroyed. Nor were those wanting who brooded upon the doctrines of primitive equality, and inculcated the duty of breaking down the distinctions in human society, considered even then by a large and increasing political sect, not in their true light, as essential portions of the dispensations of Providence, but as the badges of servitude and tyranny. Doctrines which, echoed and transmitted from nation to nation, and age to age, became the inheritance of Wat Tyler and Jack Cade, of Aske and Kett the Tanner, of William Tell and Thomas Muntzer, even until we arrive at the present day.

Andrew at once changed the tenor of his discourse, he felt that he had spoken much too freely, and, attempting to divert the attention of Marco, he pointed to the gray castellated edifice which spread its lengthened walls before them,—"This," —said he to Marco,—"is the Aldermanna-Burgh, the fortress of the Senators, the spot which, from time whereof the memory of man runneth not to the contrary, hath been the seat of the government of our community."

"Such being the case,"—quoth Marco—"London is not wholly unlike fair Florence, in which you may trace circuit within circuit, town within town, denoting how the subjects had been separated from their Lords.—Within the *Primo Cerchio*, dwelled the Nobles priding themselves upon their descent from the Patricians of the Roman State.—A second circle, included those who erewhile fled from the neighbouring Fiesole, and also the Teutonic Warriors, who, when their strongholds were destroyed, were compelled to shelter themselves beneath the seemly protection of the Patrician race.—Lastly, was erected the third and outer circuit of walls, whose ambit became the

dwelling-place of the Plebeians, the subjects of the combined Aristocracy."

"And does this state of things still continue in Florence?"—said Andrew.

"Long since have the walls of the interior circles been destroyed. The authority of the Nobles lasted much longer than their walls. But after many revolutions, of which it were sooth to tell, the Patricians have become in effect the servants of those, who still, in theory, acknowledge them as their superiors.

"From any share in the rule and government of the Community, every individual who bears the name and arms of the noblest families of Florence is inexorably excluded by the plebeian authorities. The lesser nobles, if they seek to possess the rights of Citizens, must be matriculated as members of the Trade Societies, the Colleges of handicraftmen, who have, not very long since, about the year 1265, received a new incorporation and additional powers. Amongst the principal of these plebeian associations, the rulers governing the Florentine Republic are chosen. The Noble, doffing his helmet and his corslet, and blotting the bearing from his armorial shield, to replace it by the merchant's mark, may

perhaps still contrive to steal into the Signoria, disguised in the hood and gown of the Artificer; but it is not difficult to foresee, that, even thus humbled, he will speedily be proscribed."

They were almost on the threshold of the Building which towered above the rest of the *Aldermanna-Burgh*,—the site of which will be easily recognised by my readers, as being still known by the familiar name of "Aldermanbury:" when a body of heavy-armed cavalry, led on by a knight in full armour, wheeled round through a narrow street, and compelled the three companions to stop till the troop should have filed away.

A standard of ample size was borne by the Leader, displaying a Red Cross, and the figure of St. Paul. Amidst the authoritative cries of Sergeants and Beadles—"Make way for my Lord Fitzwalter, Lord of Castle Baynard, Banner-bearer of our good City of London," he swung down from his powerful steed, and entered the Guildhall. Marco Polo and his companions followed in the crowd.

Andrew continued scowling at the Baron, with a glance of undisguised vexation, I may almost say, malignity;—"And this," whispered he to Marco,

" is the mailed ruffian who, violating the natural equality of mankind, still claims, as privilege and property, a pre-eminence, which, if granted at all, should result only from the voice and choice of the Community, like those in whose assembly he now intrudes."

Friar Bacon felt these bold, and, as he truly considered them, culpable expressions, almost as a direct challenge. But he had acquired the true prudence of a philosopher and a man of science, and was quite content to be silent, instead of contending for the empty victory of confuting opinions, which the most complete refutation would neither influence nor control.

The Mayor and Aldermen rose to greet the Lord Fitzwalter, who advanced into the midst of the Assembly, and preferred his claim to the franchises resulting from the tenure of his stronghold.

" In war, the Lord of Castle Baynard is to lead forth the host of Citizens."

The Lord Mayor nodded assent.

" The thief apprehended within the Soke of the Lord of Castle Baynard, is to be thrown into prison [illegible] due judgment."

"Even so, my Lord,—it is entered in Liber Ordinationum, at the hundred and sixty-third page,"—replied the Town-Clerk.

"If a traitor be convicted in the court of the Soke of Castle Baynard, he is to be led, at low water, to the adjoining shore of the Thames. Strangled at the stake to which he is bound, his corpse is to be abandoned until it hath been thrice concealed by the rising tide."

"A true judgment,"—exclaimed the Recorder—"such as your Worships have always allowed my Lord Fitzwalter's progenitors to pronounce, and"—continuing in a low tone to the Common-Sergeant, who stood at his side, "such as some of my Lord Fitzwalter's progenitors might have sustained; but one man may steal a horse, whilst—" "Hush, hush, Brother,"—said the nervous Common Sergeant, who was already more than half frightened at the boldness of his colleague.

As the Lord Fitzwalter was reciting his claims, the Town-Clerk carefully attested the accuracy of each demand by the authentic record, his finger travelling down the vellum page: and the said living index had now arrived at the concluding *Rubric*, which, in manuscripts, was always in

colour, what now it is in name. Lifting up his hand from the line of red letters, he opened his palm, and struck the book so loudly, that the vaulted roof echoed with the sound. The Civic Magistrate evidently expected this warning, and most of the bystanders seemed also to have a secret understanding that they were to prepare for some extraordinary occurrence.

"Lastly,"—continued the Baron, in a clear and sonorous voice,—"I, the Lord Fitzwalter, Lord of the Soke of Castle Baynard, within the City of London, demand, as of right, for myself, and my heirs, and appertaining to my franchise, that, whenever, by you, Sir Mayor, a full Council of this City is assembled, the Lord of Castle Baynard is to be summoned thereunto, duly taking his oath in form of City law."

Instead of the ready assent which had been given to the preceding claims, a pause ensued. Fitzwalter waited respectfully—no answer.—Fitzwalter planted his standard firmly, and grasping the staff with both hands, leant forward.—All was silence. The Mayor rose, and with the Aldermen, retired to the further part of the Hustings, and, after a short discussion had amongst

them, the Recorder, as the mouth-piece of the City, came forward and replied,—"My Lord Fitzwalter, it hath been considered by the good men of this Community, that, in order to eschew divers inconveniences, it is no longer meet for your Lordship to sit in Council amongst them in this Hall."

"What!"—exclaimed the Lord Fitzwalter—"deny the right testified in the very page bearing witness to all the other franchises which have been so readily allowed!"—"It may be so, my Lord," answered the Recorder, shutting the book,—"but the Citizens have advised upon it. And now ye good men of the Painter's craft and mystery, come forward, and make your bidding and your prayer."—Against such a determination to do injustice, no appeal could be made. Rudeness, nay insult, marked the conduct of the civic functionary. Fitzwalter deigned not to make any reply; he flung down the banner indignantly on the pavement, and forcing his way through the craftsmen, who were advancing to the bar, he disappeared in the crowd. Taken up by the Lord Mayor's Henchman, the banner was brought in triumph to the Hustings: and the link which connected the community of London with the feudal

Aristocracy of the realm, was irretrievably destroyed.

"Citizens of London,"—said Marco to Andrew Horne—"ye have borrowed a lesson out of the books of Florence, in thus expelling from your Councils the nobles of the land."

"In this country, it is hard to say who is noble and who is not, who may be the borrower, and who the lender,"—observed the Friar. More he was about to add, when the business before the Court was resumed.

About this era, the Guilds or incorporations of craftsmen,—containing within them elements destined to alter the whole condition of municipal society, were now rising simultaneously into importance throughout the Commonwealth of Christendom. These bodies may, without difficulty, be traced to the Colleges of Workmen which subsisted in the Roman empire, and had, under that political dispensation, held an ambiguous place between servitude and freedom. Traditions ascribing their origin to Numa, only testify that these societies had existed at Rome from time immemorial. To say that such institutions are coeval with the first origin of the useful arts

amongst mankind, would be an assertion unsusceptible of direct proof. All the Soodra Castes in Hindostan are, however, founded upon the governing principle of these operative communities, namely, that the occupation is hereditary. The lot of the father descends upon the son: and inasmuch as we have every reason to suppose that this portion of Asia exhibits the faithful reflection of the usages of Mizraim, we can scarcely avoid admitting that this system was acknowledged in the earliest ages of civilization.

The castes in the East are strictly confined to blood and lineage; hence they tend to maintain society in a state of steady uniformity, which, however it may increase the average happiness of individuals, and the comfort of the greater number, is nevertheless the source of feebleness in the State at large. But in Europe a new and expansive principle was introduced into these communities, that of aggregation, which counteracted the original principle of stability. It was this which ultimately rendered them equally powerful instruments of change.

According to the policy of the Roman law, it scarcely appeared as an innovation in these

societies, if the disciple, the adopted child of the master, were allowed to obtain the privileges of the son by birth and blood. He was constituted heir, not merely to the common property of the College, but to the skill and knowledge of the Teacher,—his living, in the strictest sense of the term. This was the origin of our system of apprenticeship, now degraded and decried, but which, in the middle ages, and, indeed, almost down to our own days, had a most beneficial influence upon the community.

So long as the engagement subsisted according to its pristine spirit, it rendered the Master and the Servant members of one household and family,—the parties were united by the mutual obligation of protection and obedience. The mutual connexion recognised better elements than those of mere profit and gain. He would be an unwise legislator for his fellow-men, who could omit to take self-interest into consideration as a most powerful impelling motive: but a sorry one is he, who relies upon self-interest as affording any kind of security for diligence or industry, or for any quality to which the name of virtue can be ascribed. Whatever the political

economist may urge to the contrary, unless individuals begin by bettering themselves, all his assumed recipes for bettering their condition are in vain.

Motives infinitely more valuable than those of mere money and money's worth were engrafted upon the system of apprenticeship, so long as its spirit was properly observed. The admission into the guild after the period of probation had concluded, was an attestation that, during the period of life when the human character is most susceptible of the influence of habit and example, the individual had conducted himself with a due attention to diligence and morality. Gratitude towards a kind master,—emulation excited by an able one,—the necessity of conciliating a harsh superior,—affection towards an infirm or needy parent,—the wish to be married,—to form that union which the church so emphatically calls a "holy state," and upon which the happiness of the individual, and, through the individual, the happiness of the State, so mainly depends: all these rendered the guilds an unceasing source of moral renovation to the Commonwealth.

The series of events so forcibly presented to us by the Artist in the graphic scenes of his "Industrious apprentice," were common in the last age,

rare as they may be in ours. Every medal has its reverse. The same forcible pencil has delineated the "Idle apprentice." Chains and fetters bound those who broke their indentures. And many a flat-cap was laid by the heels in the stocks, flogged in the Hall, or awoke from his jovial carouse, in the dreary gloom of the "Little Ease," when, cramped in the chill solitude, he vainly attempted to stretch out his aching lubber limbs. But the system, though incompetent to amend human nature, professed to be founded upon those principles by which alone the human heart can be renewed.

Religion was the foundation of the Guild; divine worship the basis of the association. Superstition and credulity were intermixed with holy forms and ordinances; yet the light of heaven pierced through the darkness. The members were constantly reminded that it was not to the contrivances of the wit, or the strength of the labouring hand, that man owes his daily bread. Industry, they were taught, might be the appointed means, but God's Providence the only source, of our subsistence; its increase, the result of His blessing, not of our frugality; the alms, the testimony of our gratitude to Him from whom the

bounty, unmerited and undeserved, is obtained. Imperfect as these institutions may have been, how much better calculated were they than our own, to ameliorate the condition of the lower and lowest orders of the community!—The modern Operative belongs to a degraded, and therefore to a hostile order.—His feelings, views, interests, all are, or are sedulously represented to him as being, in dire opposition to the Manufacturer, the Cotton-lord, the Capitalist, whom he considers as his tyrant and his enemy. But in the old time, the Workman was the "*Brother*," the "*Compagnon*," the "*Gesell*," of his employer, perhaps poorer in purse, inferior in station, younger in age, but all united by the most kind and social bonds. They repeated the same creed: met in the same church: lighted their lamp before the same altar: feasted at the same board. Thus constituted they the elements of that Burgher aristocracy, which equally withstood the levelling anarchy of the infuriated peasantry, and yet, at the same time, assisted in destroying the abuses, which had sprung out of the servitude of the soil.

After the scattering of the Roman empire, and until the thirteenth century, these societies, sub-

sequently so influential, had subsisted, with very few exceptions, by usage and prescription: rarely deriving any protection from the State. Indeed, we find that attempts were occasionally made to suppress these Trade Societies, whose growing power excited the vigilance, possibly the jealousy, of the Sovereign. These efforts did not succeed. In such cases, force is of no avail. The quicksilver divides beneath the pressure; but the globules run together again as soon as the pressure is removed. Voluntary combinations of all kinds are not unfrequently decomposed by their internal fermentations and discord; but no external and adverse force, short of the complete dispersion, or total extermination of the individuals, can kill the life that is in them. Not only did the Guilds baffle all the adverse edicts and denunciations, but they continued steadily to advance, obtaining not merely the toleration but the favour of the State. And, from the thirteenth century, these associations, which had hitherto been governed by their private regulations, obtained full sanctions of their ordinances, from those authorities who could render them coercive according to the law.

Such confirming authorities differed, of course,

not only according to the constitution of the different States of Europe, but also according to the local policy of the different parts of the same State. In London, the Court of Aldermen became the Tribunal from which these minor communities acquired their legal existence, the Crown not interfering until a later era: and it was upon such business that the body or Guild of Craftsmen, were now advancing to the Bar to prefer their humble requests.—Do you, Reader, listen attentively to their words, for the monk of Croyland has extracted them from "Liber Ordinationum," and I doubt if you have ever had an opportunity of hearing them before.

"Humbly, we good men of the Painter's Craft, of the Guild of St. Luke, beseech your Worships to confirm the ordinances, by common assent made, for the advancement of our trade: and the prevention of fraud and falsehood, in our praiseworthy mystery.

"Imprimis.—That no Craftsman shall use or employ other colours than such as be good and fine; good synople, good azure, good verdigrease, good vermilion, or other good body colours, mixed and tempered with oil,—and no brasil, indigo, or other of the last-mentioned sort and kind."

"It pleases their Worships,"—said the Recorder.

"Item.—That no good man of this Craft of the Painters shall entice away another man's apprentice or servant."

"It pleases their Worships."

"Item.—That no stranger, not being a Brother of this Guild, shall work at his trade until he hath made gree to my Lord the Mayor for his entry into the liberty of this City: and hath caused himself to be put in Frankpledge, and hath become buxom to our Guild, and paid two shillings towards the sustenance of our poor."

Thus did the Warden crave assent to the several constitutions of his Guild, praying the approbation of his worthy Masters, the Aldermen, to each article. The affirmative being given to the several propositions, or petitions, they acquired the force of law, and became the foundation of a Code, which, having been from time to time increased, and altered as need required, still regulates the "Painter Stainers" Company. And, without any disrespect to any other public body, I am bound to assert that this same Company is assuredly the real true and genuine and Royal Academy of England.

Queen Elizabeth, towards the conclusion of her

reign, became extremely struck with the rapid decay of the fine arts. Distressed by the "horrible counterfeits" of her countenance, which began to be exceedingly current: and in order to ensure the transmission to her loving subjects of a likeness, which she might like them to see, she granted to the said Company of Painters, otherwise Painter Stainers, a most stringent monopoly. No one was to paint any portraiture of the Sovereign, or any Member of the Royal Family, save and except a Freeman of the Company, under divers pains and penalties in said Charter contained. Despite of municipal reform, their privileges are not disregarded. Albeit the main occupation of the Freemen at the present day, be that useful application of the art, which is usually called into action in company with the plasterer and the whitewasher: still the very distinguished and talented individual, who now so deservedly fills the station of Sergeant Painter to the King, followed the precedents of Kneller, and Reynolds, and duly *qualified* himself for the appointment, by taking up his freedom in the Painter Stainers' company according to the Charter.

Were the materials which still exist for the

history of these Guilds, carefully investigated, we might perhaps be able to show how the advancement of the so-called "fine arts," was connected with the progress of mediæval civilization. The outward form which they then assumed, was the token of the institutions by which they were produced. "Art" was then natural, it grew out of the condition and idiosyncracy of mankind. Now, "Art" is factitious: it is extraneous, superinduced upon our social relations, and not arising from them. It has no real affinity to our mode of being. It is the forced and sickly flower of the conservatory, not the vigorous product of the soil. It has no hold upon the multitude, no connexion with the *mind* of our utilitarian era. A very curious proof of the intimate alliance between the arts and national policy, is afforded by mediæval architecture. In the north of Italy, where the municipal institutions were broken up by the Barbaric invasions, all Roman science suddenly ceases and comes to end. In the Roman "Province" of Gaul, on the contrary, where the succession of the municipal authorities was uninterrupted, however uncouth and barbaric the union of the several portions of the building may be, yet in each mould-

ing and capital, taken distinctly and severally, a Roman feeling is preserved. There is an evident transmission of doctrine from the previous ages. In the first case, the untaught stone-hewer copied the object which he saw; in the second, the instructed Mason practised what he was taught—and, imperfect as his attempts may have been, the contrast between the productions is extreme: and indicates, even to the eye, the difference between the legal characters of the communities. In the first case, we discern a Teutonic population which had absorbed the Roman race; in the second, a Roman community humbled, yet retaining its integrity.

With respect to the practice of oil-painting, designated with such clearness in the ordinances of the Painters' Guild, as to leave no doubt as to the nature of the pigment, it must have been principally employed upon Heraldic ornaments. The peculiar manipulations required seem, however, to have been but little known out of the Fraternity: and this circumstance may be in some measure explained by recollecting, that in these Guilds, all the more important and essential processes, were concealed as mysteries in the strict sense of the term. Theory and practice were conjoined. During the earlier periods, the hereditary

character of the handicraft, must have greatly assisted in preventing the profane from withdrawing the veil. Other means were practised for the purpose of keeping the secrets of the trade, and defending the monopoly. Oaths, awe-inspiring ceremonies, initiations, sometimes terrific, sometimes painful or ludicrous. Here the candidate trembled beneath the arch of steel, the swords suspended over his head. There, unless his agility preserved him, the incipient workman enjoyed the full application of the lash of the cartwhip.

Even in this our age of triumphant publicity, some curious vestiges of this ancient system may be traced.—"The gentleman who reports for our paper," at whose presence every other door stands open, has never been able to obtain the slightest insight into the proceedings of the Lodge of Cosmopolite Freedom, No. 658, meeting at the Yorkshire Stingo, Gray's Inn Lane; the same being the true and legitimate scion, as my intended quarto will show, of the Masons' Company of London. The Aspirant, admitted into the Worshipful Company of Cooks, binds himself under a heavy penalty, not to reveal to any stranger the secret of raising puff-paste.—A fruitless precaution, since the arcanum is entirely in the possession of

every publisher in town.—And, *Io Scrittore*, having, in pure, unsuspecting, guileless innocence, put a question to the worthy Prime Warden of the Plumbers' Company respecting the proportions of the alloy of tin and bismuth employed by the Beadle, the official superintendent of their metallurgic operations, in the process of "sealing solder," I found myself as completely baffled by the resolute silence with which the interrogatory was received, as if I had sought to know the ingredients of the powder of projection, from the Grand Master of the Rosicrucian fraternity.—But I am well nigh forgetting my tagged and ragged manuscript, to which I must return.

Marco and his companions had, during the transactions with the Painters' Guild, retired to a jutting oriel, in the new-fashioned "Gothic" style, which had just been erected in the Hall.

"Our English Guilds,"—said Andrew,—"obtained great additions to their powers in the Mayoralty of one, who will long be remembered in this city, as the man of the people, Walter Hervey. This happened much about the time, when, as I hear from Nicholas Verkooper, the Fleming, the same bodies kindly relieved the Bishop of

Utrecht from the cares of government: and when, also, as you told us, your Florentine Craftsmen obtained the chief powers in their Commonwealth."—I am not sure whether Andrew knew the probable issue of affairs in Germany, otherwise he might have added, that the Zunfts or Guilds of craftsmen at Nurenburgh were fast tending to a similar assumption of power.

These eras of contemporaneous movement throughout Christendom are amongst the most remarkable social phenomena of the middle ages. For the transmission and diffusion of opinions we now depend entirely upon the press. As much, perhaps more, was effected without its aid. In all things, in the present age, we depend far too much upon the pen. The multiplicity of ideas imparted by means of printing obliterate each other. They destroy each other by interference. In optics, there may be "fits of easy transmission and reflection;" but "reflection" rarely follows "easy transmission" in matters of the mind. When printing did not exist, the smaller quantity of mental stimulants was fully compensated by their intensity. In the tale brought home by the one Traveller, who, having

witnessed the revolution, came home after passing through the perils of fire and slaughter; or the impassioned narrative of the one Foreigner recounting the deeds of his countrymen, there was a vivid vitality producing the one leading idea, which pervaded whole masses of population, displaying by conformity of results the uniformity of the inducing cause.

"Have your craftsmen,"—said Marco,—"like their compeers in Tuscany, excluded all other classes from municipal authority?"

"They are trying, at least, to render themselves integral elements of our civic community. According to our Old English customs, such as were whilome used and approved in the days of King Alfred, when golden bracelets—"

. . . "Tush, man,"—said the Friar,—"let alone the lies, and give us the law."

"They often go together,"—replied Andrew, half in laughter and half in anger,—"but the notions which I am explaining to his Seignory, are truth in very deed. According to the law, then, of King Alfred's reign, as confirmed by the Confessor, ratified by the Conqueror, and continued by constant usage, the enrolment in the *Frankpledge*, and the possession of the tenement, ought to make

the citizen, without any further or other qualifications being required."

"Frankpledge,"—quoth Marco,—"and what is that?"

"An institution which we owe to the profound wisdom of the immortal Alfred, and the foundation of our civic and territorial policy, throughout all England."

"No, certainly not through England,"—said the Friar.

Master Andrew, a true political antiquary,—and by the way, for that reason, I would not advise you to believe implicitly all that he says,—plainly saw, that unless he rode, booted and spurred, through the Friar's objections, he should never be able to establish his theory,—so, without hesitation, explanation, modification, or alteration, he continued in the same tone;—"And the foundation of our Civic and territorial Policy throughout all England. Every Layman is bound, by the laws of Alfred, to be enrolled in his tything or dizeine."

"*Dozen*, not *dizeine*—twelve, Sir, not ten,"—said the Friar; supplying thereby, through *Britton*, who followed his opinion, a note to the future Historian of the Middle Ages.

"*Dizeine*, not *dozen*,"—retorted Andrew, with imperturbable resolution.—"Ten men they be, answerable for the deeds and misdeeds of each other, and placed under the superintendence of the Chief Pledge, the Tything-man, or the Headborgh, their superior."

"It is a good law, and wise,"—observed Marco, —"and contributeth much to the preservation of the peace in Cathay, where the same frankpledge is found. Every tenth householder is bound to look after the conduct of his neighbours; and with such a Tything-man did I lodge when I dwelt at Cambalu."

It is well known that Cambalu is the modern Pekin. And I, the Editor, may perhaps here be permitted to add, by way of annotation, that—as I have been credibly informed, by one of the few Europeans who have entered its jealous precincts, —this decennary police continues in full force in China at the present day.

"In similar, or nearly the same guise,"—continued Marco,—"doth the law which you call your English law of Frankpledge, subsist amongst the descendants of Trajan's Legions in Wallachia. Fierce as they are, they have their 'Loods,' thus

call they these associations, composed of ten men, formed exactly upon the same principle, mutually pledged for the security of the country. Indeed, I should think that any legislator, accustomed to military authority, would easily see the expediency and practicability of such an organized species of encampment upon the land."

"And thus, Master Andrew,"—said the Friar,—"whilst we admit the fact of this decennary arrangement in England, the originality of the invention must be denied."

Andrew heeded not the comment.

"Founded thus upon the institutions of the immortal Alfred, is the qualification of our Burghs. But in addition to the rights thus derived from household residence, our Craftsmen, like yours, Messer Marco Polo, seek to render the matriculation in their Guilds, an essential element in the qualification for the municipal franchise. They reckon upon being able to introduce a law, that no one shall be admitted into our freedom, unless he be of some certain Guild or mystery. And, instead of calling our Councillors from the Wards, they talk of a scheme for electing from these mysteries alone, the members of our civic community."

In this, and in many other matters, Master Andrew was singularly gifted. The innovations which he foresaw or foretold, did actually take place. After various fluctuations, the Guilds became the only channels, through which the municipal freedom could be acquired.

Meanwhile, a great bustle had arisen in the Hall. It continued to increase. Marco and his companions looked round towards the hustings, and found, that whilst they were talking, not only had Sir William de Ormesby, the Chief Justice of the King's Bench arrived; but the King's Commission had actually been read, without their hearing one word of it. Mayor and Aldermen, with the King's Justices, were sitting as a Court of oyer and terminer, and gaol-delivery.

Andrew Horne, who was quite at home in the Guildhall, conducted his companions upon the hustings, just as the Sergeants were compelling by main force a manacled criminal to stand at the bar.

The malefactor had been apprehended in Cheap, in the very act of cutting a purse from the girdle of Sir John de Stapleford, Vicar-general of the Bishop of Winchester. Cases of flagrant

delict, according to our ancient common law, or, to speak more accurately, according to the law of all nations in the simpler stages of society, required no other trial than the publicity or incontrovertibleness of the fact, no further proof of the offence was needed, and no defence allowed. They proceeded by law in the same manner as the mob now do by impulse, when the pickpocket [is dragged through a horsepond; or like the gardener thrashing the school-boy, whom he has caught in his apple-tree. Trivial and almost ludicrous as these comparisons may appear, they are apposite and pertinent examples of our ancient law as laid down by Bracton, and displayed in our ancient records. Open guilt was instantly followed by vengeance. The murderer grasping the deadly weapon: the "bloody hand" of the violator of the royal forest: the robber bearing his spoil, received at once the punishment of their misdeeds. According to these principles, Sir William de Ormesby therefore intimated to the Officers, that as they might—and, indeed, ought—to have struck off the head of the prisoner before the Conduit, it was unnecessary thus to have given the Court the trouble of passing judgment.

"Let him be hanged upon the elms at Tyburn," —was forthwith pronounced as his doom. Pale and trembling, and suing for mercy, the wretch was taken from the bar, not indeed without exciting some suppressed feelings of compassion in the court. Evidently was the punishment disproportioned to the crime; but the maxim of considering that the sentence once denounced by the law was immutable, had practically the effect of stifling the natural sentiments of humanity.

Louder and louder became the cries of the miserable culprit as he receded from the judges; and just when the Sergeants were dragging him across the threshold, he clung to the pillar which divided the portal, shrieking in a voice of agony which pierced through the hall, "I demand of Holy Church the benefit of my clergy!"— Perhaps, in strictness, the time for claiming this privilege had gone by, but the officers halted with their prey: and one of the Prothonotaries having hurried to them with a message from Chief Justice Ormesby, the thief was replaced at the bar. During the earlier portion of the proceedings, the kind-hearted Vicar-general had evidently been much grieved and troubled by his

enforced participation in the condemnation of the criminal. Stepping forward, he now addressed the Court, and entreated permission, in the absence of the proper Ordinary, to try the validity of the claim.

Producing his Breviary, he held the page close to the eyes of the kneeling prisoner;—he inclined his ear.—The bloodless lips of the ghastly caitiff were seen to quiver.—"*Legit ut Clericus*,"—instantly exclaimed the Vicar-general; and this declaration at once delivered the felon from death, though not from captivity.—"Take him home to the pit,"—said the Vicar-general,—"where, shut out from the light of day, and the air of heaven, he will be bound in iron, fed with the bread of tribulation, and drinking the water of sorrow, until his sufferings shall have atoned for his misdeeds and expiated his shame."

Whatever abuses may have arisen from this privilege,—the "benefit of clergy,"—which by the well-known merciful connivance of the law was (as in this case) extended to all who could read, or could be supposed to read their neck verse, we should reject the common, though most erroneous idea, that it was intended to afford an indemnity to crime.

The imprisonment,—as you have just heard it truly described, was most severe,—and though, in some cases, the ecclesiastical immunities mitigated the common law, by saving the life of the offender: yet there were others in which signal chastisement was bestowed upon those, who would otherwise have escaped all retribution.

But a higher principle was developed. In the theory of her criminal jurisprudence, the mediæval Church had fully and unhesitatingly adopted, the wise and truly beneficent doctrine—that punishment is to be inflicted by fallible man upon his fellow creatures, not merely in terror but in love. The imprisonment, with its accompaniments of hardships and privations, was considered as an ecclesiastical *penance*. Not thundered in vengeance for the satisfaction of the state, but imposed for the good of the offender: in order to afford the means of amendment, and to lead the transgressor to repentance, and to mercy. From the doors of the dungeon he was to come forth, not as a degraded criminal, but as a pardoned sinner. This was the doctrine of the legislation of the Clergy, now the butt and mark for commonplace contempt, and shallow contumely.

I will not undertake to affirm that the practice was always in strict consistency with the theory. Abuses may be discerned. But if the ancient ecclesiatical judges did, occasionally, so apply the privilege as to afford a little comfortable encouragement to offenders, I do not doubt they did so upon very good grounds, of which we should be fully convinced, if they were but here to tell us the why and the wherefore. We ought not to condemn them unheard. It is wonderful to find what satisfactory explanations you obtain from men in office, when you have the advantage of hearing them explain their own conduct, to their own friends, in their own way.—"I, for my part,"—said a most active and exemplary Magistrate,—"always support the renewal of the licenses of the minor Theatres, Vauxhall, and all those kind of places, in order to give full effect to his Majesty's Proclamation against Vice and Immorality, which our Clerk always reads to us while we read the newspapers, when our Session begins.

"I was once,"—continued he,—"rather doubtful upon the subject, I could not quite reconcile it to my conscience, until I talked with the worthy Governor of Newgate; when he told me, that to

these and similar sources of rational amusement and innocent recreation, and the various establishments and accommodations which arise and flourish around them, he could trace the largest proportion of metropolitan crime. Now, Sir, if vice and immorality were to be put down, how could we possibly pay due obedience to his Majesty's commands? If there was no vice and immorality, what use, Sir, would there be in the Proclamation? The Proclamation would become a dead letter. Sir, the Proclamation would be a mockery. I say, Sir, that when you only think of an hundred and fifty religious and moral Societies, for the discouragement of this,—the prevention of that,—and the suppression of t'other,—all with their patrons, presidents, and vice-presidents, secretaries, distributors, and collectors, meeting at Exeter Hall, we Magistrates, Sir, standing as we do as public men, with the eyes of the whole civilized world always upon us, accountable to the country: and subject to the strictest scrutiny from the vigilance of the press, are bound to do something also, to show that we are efficient in our stations. Let us be consistent,—and if we can keep the Olympic a-going, we shall always be sure to create a greater supply of 'vice and immo-

rality,' by which we may be able to give full effect to the Proclamation, than all the City Missions and Pastoral Aids will ever be able to prevent, amend, or cure."

But Marco and the Friar beckon me back again to Guildhall, where we shall behold another criminal placed at the bar.—"William of the Palace, thou art indicted as a felon, for that thou hast oroken open, and robbed the Treasury of our Lord the King at Westminster.—How wilt thou be tried?"—The culprit was about to speak: when Andrew Horne, who had suddenly determined to retain himself for the prisoner, loudly took up the word, and silencing William of the Palace by the wave of his hand, he exclaimed,—"The culprit wages his law as a freeman of the City of London, as one of the burgesses, to whom it is granted by the Conqueror, that they should be *worth* the same law as in the days of good Saint Edward. Therefore is he entitled to refute the accusation by the declaration of his friends. Seven shall be the Compurgators chosen and named by the prisoner himself according to our old Anglo-Saxon law. If they all concur in testifying his innocence—if their oath declares him guiltless,—he is quitted for ever

of the transgression which the King has laid to his charge. This franchise of our City bars the plea of the Crown."

Even as the Candidate who now promises to advocate the abolition of imprisonment for debt, excites the warmest response from the shirtless multitude: the same being received by them as an "instalment of justice," a part payment on account of their just demand not to pay any debts at all, so did a shout of applause from the crowd testify the satisfaction with which the bystanders heard this declaration of their City privileges. This Anglo-Saxon law was a matter in which a great many of them took an interest by no means theoretical, since it afforded, could it be established, a comparatively easy mode of escaping the legal noose.

An observation of Marco Polo, that possibly Master Andrew might be anticipating the fruition of some good thing in the gift of the good Citizens, was answered by a knowing nod of unwilling assent from the Alderman whom he had addressed. There is a peculiar state of the atmosphere producing a mirage, by which he who, long practised in the management of public bodies "doth bend his eye on vacancy," is enabled to discern the approach

of such vacancy of place or office, when the same is still far below the political horizon. Andrew Horne was a seer of this class: and thus, within a short period afterwards, the sturdy and patriotic champion of popular rights was rewarded by the consciousness of his deserts, and the honourable and lucrative employment of Town-Clerk of the City. I would wish however, to speak of Andrew Horne with great respect. He compiled a most valuable and authentic collection of documents relating to the liberties and franchises of the community, entitled, "*Liber Horne*," still kept with great care amongst the archives in Guildhall, which I have perused with extreme delight: and the emphatic "*non bene*" quoted at the beginning of this chapter proceeds from his own hand.

Andrew Horne's City law, however, was not allowed to pass unquestioned by the Court.—"The right of compurgation, which you claim for the prisoner, is taken away by the implication arising from the tenor of the Assizes of Clarendon, re-enacted at Northampton,"—sternly exclaimed the Chief Justice.

"Cry your mercy, my Lord,"—replied Andrew, with firm humility; "your objection, most humbly

do I submit, is wholly nought. London is not specifically noticed in the Assize. The enactment is in general terms: and it is the franchise of the London Citizens, that no Statute affects their privileges, unless they be therein specially named."

"But the culprit,—good Master Andrew,"—observed the Recorder, trying to trim his course accurately between the Chief Justice, to whom he looked up for promotion, and the Common-Council, to whom he looked down for his salary—"must be a *full* Citizen, and not merely a nominal member of our community: unless he is actually resident, paying scot and bearing lot with the rest of the ward, he cannot claim these rights. I sincerely hope that the poor fellow at the Bar is duly qualified, and I should regret exceedingly if Master Chamberlain were compelled, in the exercise of his duty, to inform the Court that the name of William of the Palace doth not appear upon the Talliage roll."

This hint was not lost upon the Chief Justice. Search was made upon the Roll, and, as may be anticipated, the name of William of the Palace was absent, he had not been rated or assessed to the

charge. The want of participation in the civic contribution deprived the culprit of the franchise of the civic community, and he was left to the common law.

"Culprit, how wilt thou defend thyself?"—was the question now put by the Town-Clerk.

William of the Palace was about to answer,—he was small and debilitated, and sickly, yet hot and angry: so he began to pull at his glove, preparing for the battle ordeal: but before it was half drawn off, Master Andrew again stepped forward, and, speaking for the client upon whose business he had employed himself, said,—"He puts himself upon the country."

"Sheriff! is your inquest in Court?"—said the Mayor.

"Yes, my Lord,"—replied the Sheriff,—"and I am proud to say it will be an excellent jury for the Crown. I, myself, have picked and chosen every man on the panel. I have spoken to them all, and there is not one whom I have not examined carefully, not only as to his knowledge of the offence wherewith the Prisoner stands charged: but of all the circumstances from which his guilt can be collected, suspected, or inferred. All the jurors

are acquainted with him, eight out of the twelve have often been known to declare, upon their troth, that they were sure one day he would come to the gallows, and the remainder are fully of opinion that he deserves the halter. My Lord, I should ill have performed my duty, if I had allowed my bailiffs to summon the jury at hap-hazard, and without previously ascertaining the extent of their testimony. Some, perhaps, know more, and some less, but the least-informed of them have taken great pains to go up and down in every hole and corner of Westminster: they and their wives: and to learn all they could hear, concerning his past and present life and conversation.—Never had any culprit a better chance of having a fair trial."

I don't doubt but that my readers are horror-struck at the iniquity of our ancient legal administration. But, " trial by jury," has most singularly retained its original form, wholly changing its original nature. Until the reign of the Tudors, the *Jury*, instead of being the Peers of the accused, by whom his guilt was to be tried,—a Court before whom the validity of the evidence given by the witnesses was to be investigated,—were the *sworn* witnesses themselves,—and their *true saying*,

the *veredictum*, or verdict, was the summing-up of their own testimony. Hence it was the duty of the Sheriff to learn their previous knowledge of the facts, and to summon those by whom, in the words of the process yet in use, "the truth could be better known." Thus, for example, if the authenticity of a deed was contested, the parties named as attesting witnesses were associated to the Jury, for by none could the truth be "better known" than by they.

So consistent was the ancient law, that if the crime was of such a secret nature that "*the neighbourhood*," the *visne*, or *vicinetum*, the name technically given to the Jury, could not reasonably be supposed to have a knowledge of it,—Murder by the administration of poison, may be instanced,—then the accused party could not be tried by a Jury at all.—Thus, then, was the Jury formed. The jurors were brought before the Judge by the Sheriff upon the same principle that the attorney now collects his witnesses in order to obtain a conviction. He got together those who, in his opinion, could best make out the case. And it is to be feared that he was not always over scrupulous as to the means by which that end was to be attained.

"William of the Palace," the prisoner, not having challenged any of the panel, they were duly sworn to say the truth, and after retiring for a few minutes, delivered their *vere-dictum* by their foreman in the following form.

"As soon as the robbery was bruited about, and even before the Sergeants-at-Arms were empowered to make inquiry for the offenders, William of the Palace quitted Westminster, and repaired into this City of London. Furthermore, when his house was searched by the Sergeants-at-Arms, there was found hid in the dovecote a golden Mazer, and a broken reliquary in the shape of a cross, both of which, as we have been told, by the Usher of the Deputy Chamberlain of the Exchequer, came out of the King's Treasury, in the Cloister of the Abbey of Westminster, hard by the Chapter-house of the said Abbey."—And I may here remark that this broken reliquary was no other than the cross of St. Neot, upon which the Scottish nobles swore the oaths of allegiance, which were then in the same condition.

"Furthermore,"—continued the Foreman of the Jury—"the Culprit is idle:—he is a glutton:—he is a drunkard:—he borroweth and payeth not:—

he keepeth company with suspicious persons:—he diceth:—he sweareth:—he haunteth taverns:—he rioteth:—he liveth much above his means:—he hath deserted his lawful wife, and now consorteth with his leman Eleanor, the daughter of Richard the Barber, dwelling in the lane of Guthrun the Dane, otherwise Gutter-lane, in the Ward of Cheap:—and therefore we say with one accord,—partly knowing these matters of our knowledge respectively, partly as we have heard from our companions, and partly from other persons of good credit,—that the prisoner at the bar is guilty of the robbery of the King's Treasury."

Illogical as the conclusions of the Jury may appear to us, and such as might even bring many a member—of the Alfred, the most virtuous of all clubs,—into trouble, it will be seen that the verdict was grounded upon circumstantial evidence of the fact, united to a knowledge of the character of the party: thus raising a sufficient presumption, according to the jurisprudence of the age, to warrant his conviction of the crime with which he was charged.

"Culprit,"—said Sir William de Ormesby, "what hast thou to allege, that judgment be not passed upon thee?"

"That the indictment is wholly void," said Andrew, "inasmuch as the prisoner hath been forced, by artifice and deception, from the Sanctuary of the Blackfriars,"—a franchise then wholly, and still partially, exempted from the jurisdiction of the City.

The assertion thus made was substantially proved by the Sacristan. A message brought in the name of John of St. Alban's, a Master Mason, strongly suspected of being the Prisoner's accomplice, and about whom very strange stories were told, had inveigled the criminal out of that ancient precinct,—in which he could laugh the Marshalmen to scorn, and placed him within the grasp of his captors. And after some discussion, Sir William de Ormesby reluctantly admitted that, as a Sanctuary-man, the prisoner was to be permitted to purchase his exemption from capital punishment, by submitting to perpetual banishment.

The last defence raised by Andrew Horne, was therefore so far effectual, that, like the plea of *Clergy*, it saved the life of his client. Bareheaded, barefooted, ungirt, and a white cross placed in his hand, he was sent forth on his painful pilgrimage. Neither turning to the right or to the left, he pro-

ceeded to Dover, as the nearest Sea-port, and there embarking, he abjured the realm for ever.

Other felonies were then tried:—and this portion of the Calendar being cleared, the Chief Justice arose and left the Mayor and Aldermen to dispose of the minor delinquents. An individual was now, however, brought to the bar, who scarcely appeared to belong to this last-mentioned class, for, as soon as he "caught the eye" of the Mayor, the worthy Magistrate rose up from his seat, and greeted him with the loud execration,—"Here he is, here is the wretch who hath sought to poison the whole city!" This fearful accusation, however, was reduced into a smaller compass by the Indictment. Divesting the crime of the attributes which it had received from the glowing fancy and poetical imagery of the Lord Mayor, Stephen Lickpenny was simply charged with having sold rabbits in a state "abominable to man, and unfit for human food."

"Bring them before the Court,"—exclaimed the Town-Clerk.

Placed upon the bar, an odour spread around, which indisputably notified the presence of the rabbits to the assembled olofactory.

"Is it your Worships' pleasure, that Lickpenny

be allowed to put himself upon the Country?"—said the Crier.

"Hand up the rabbits to the Court,"—spake the Lord Mayor.

No sooner said than done.—Almost before the command was completely given, the Crier, with dutiful alacrity, had brought the long-since murdered animals in contact with the nose of the junior Alderman, who started back, with a loud Paah!—The rabbits continuing their gyration, the next Alderman in seniority, who had already huddled up his gown before his mouth and nostrils, signed to the trusty functionary to pass on: when the Lord Mayor, who, if he had been as blind as love or justice, would have been fully aware of the distant approach of the savoury cates, rose, apparently in a state of much excitement, and exclaimed,—"What need have we of inquest or jury, or of further testimony, beyond that which our senses thus supply?—Let Lickpenny stand in the pillory, with the rabbits hung around his neck."—And ruthful Lickpenny was removed from the bar, where his place was immediately supplied by a brother in the trade.

Substitute pigeons for the fourfooted stock of

the poulterer, and you have the accusation as before: and, as before, the birds made the circuit of the bench of Aldermen. This case, however, was not so clear, and, for the credit of the Court, it was requisite to use a sound discretion.

Some of the Aldermen snorted and shook their heads,—others appeared impassive,—whilst one actually snuffed and snuffed again. The Aldermen retired to a small adjoining chamber, with the pigeons. They closed the door: and after one hour and three quarters' deliberation, they returned into the Guildhall.

Addressing Peter Romford, the Lord Mayor told him, that as one of the most experienced Aldermen could not satisfy himself that the birds came within the compass of the indictment, the great majority of the Court, though they were of a very different opinion, considering the great difficulty and importance of the case, would allow him the benefit of a Jury of Cooks. And they were forthwith summoned from Eastcheap by the Town-Crier.

Shortly afterwards the twelve Cooks entered the Hall, with much decorum and gravity; the boards creaked beneath their tread. Being duly charged, they retired with the dubious victual: and, after

some discussion, the foreman, Stephen Towzle, pronounced, on behalf of himself and his fellow-jurors,—"That the pigeons were not abominable, or unfit for human food: provided they were duly seasoned and baked in a pie."

The delivery of this special verdict was immediately a signal for a battle between the Town-Clerk and Master Andrew, who, as usual, had retained himself for the prisoner. Andrew contended that a "negative qualified" was equivalent to an acquittal: the Town-Clerk, with equal vehemence, maintained it to be a declaration of the guilt of the party. But the Mayor, with much sound sense, ended the matter, by rising and breaking up the Court, leaving the Poulterer to go where he pleased, and the pigeons to go wherever it should please the Jury to convey them. Bearing off the spoil, the Cooks accordingly departed. Operated upon by the skill of these predecessors of Ude and Jarrin, the birds quickly found a gastronomic purchaser: and, strange to say, in the person of the very Alderman who had laboured most strenuously to procure a summary conviction. With respect to the sentences in the cases of Rex *v.* Lickpenny, and Rex *v.* Romford, I must finally add, that they

are left upon record in the City books, where I have consulted them, having carefully verified my manuscript thereby, and corrected the reports of the trials, for the instruction of the profession, in this branch of the criminal law.

Chapter IV.

PARLIAMENT.

My intention is not to write a treatise upon the abstract principles of government. If it were, I am not quite sure whether I should not arrange my ideas in the inoffensive shape of a vocabulary or dictionary: expounding each term, not exactly by its verbal import, but according to the actual application of the word in the country to which the same belongs.—Should we not thus obtain a cosmographical nomenclature of the civil institutions of mankind? We should then see,—perhaps more clearly than would be quite agreeable, —how exceedingly fluctuating is the value of the symbols by which political institutions are represented: and how they vary in every degree of latitude and longitude on the face of the globe.

Liberty in Constantinople, consists in being entitled to have four wives at once, and to sew up

all your four wives in four sacks, and throw them all four in the Bosphorus, either in four several plumps, or in such proportions and numbers as you choose. If this privilege be not infringed, your true Osmanli puffs away his unutterable contempt of the Giaour, who can submit to the degradation of beholding his denuded spouse quadrilling with unveiled face in a full-dress fancy ball.

Liberty at Benares, consists in leaving your widow in full possession of the right of suttee, and in having your own bones crushed under Juggernaut's car. Take these rights of conscience away, as we have done, or are about to do.—Abolish the cruel doctrines of the Acharuburmitroduya and the Shoodee Kowmoodee.—Substitute our whole constitutional code from Magna Charta down to the Poor Laws' Amendment Bill,—with the agreeable collateral embellishments of a Bramin, starving himself on the treadmill, where the first step inflicted the exquisite mental torture of loss of caste: and a Rajah beneath the gallows,—agonized, not by the approach of death, but by the polluted touch of the Paria executioner,—and our consistently humane endeavours to promote the happiness of the Hindoo, will—strange to say—

be received with sullen ingratitude, as the most humiliating tyranny.

Liberty in "the States" consists in the full prerogative of "extinguishing" the Red man by the progress of intelligence;—cuffing and kicking the Coloured man out of the White man's aisle,—and slicking and cropping the white man under suspicion of being suspected as an agent of the anti-slavery society. All these invaluable privileges being secured to the people who in their glorious declaration of independence, claimed their emancipation from unhallowed and absolute tyranny as resulting from "the self-evident truths, "that all men are created equal, that they are "endowed by their Creator with certain inherent "and unalienable rights, and that amongst these "are life, liberty, and the pursuit of happiness."

Thus might we make the circuit of the globe, examining the internal principles of every extinct or subsisting community. Intelligently and honestly pursued, can we doubt but that such an inquiry would be an investigation of great curiosity?—And so would it be one of great instruction. After all, we should find no government, ancient or modern, founded upon a basis equally firm with

our own. If there ever was a sentence which could be considered as so excellent as to be incapable of amendment, it is the old phrase, the good old Whig phrase,—*the liberty of the Subject*,—in which all the theory, all the doctrines of our mixed government are comprised.

Our English liberty, let the truth never be forgotten, is not the liberty of the country; nor is it the liberty of the nation: nor is it the liberty of the people: but a liberty which, as it belongs only to the *Subject*, cannot be severed in idea or imagination from the person of the Sovereign. Not a liberty, founded on theoretical reasonings; not a liberty in the abstract; but a liberty springing from the Monarch. A liberty depending upon his supremacy. A liberty to be earned by obedience. A liberty held with reference to peculiar duties and obligations. A liberty to be enjoyed only in conjunction with the rights and prerogatives of the Crown, and in entire subservience to the law.

A tourist living in those happy days, when a monkey who had seen the world was a rarer animal than any of the present tenants of the rival Zoological Gardens,—and then enjoying much unmerited reputation, the author of Zeluco, ex-

emplifies the ignorance of the Continental noblesse by telling an anecdote of a Neapolitan lady of high rank, who, hearing an Englishman discourse with much animation respecting "Parliament," exclaimed in reply—"Parliament! what is it, a Corso?—a horse-race?"—She was not able, as our Doctor says, to suppose that any other matter could excite so much interest, and be remembered with so much pleasure.

I will not characterise this anecdote as a traveller's story in the disagreeable sense of the term, though it seems to be in the highest degree improbable, that even a Neapolitan Contessa should have been ignorant of the existence of the Parliament, which, composed as nearly as possible upon our ancient Anglo-Norman model, continued to meet and sit in Sicily until the conclusion of the late war. Be this as it may,—it is certain that our learned Doctor had not any more notion than his supposed Contessa of the existence of such an Assembly. Indeed, even now, when historical information is generally diffused, we perhaps do not sufficiently recollect, or recollecting, do not attend to the inferences to be drawn from the fact, that in the age of Marco Polo, great

Councils of this nature, and partaking more or less of the same character, were forming or formed, in all the realms and states of Christendom.—Why did they become effete, and either wholly die away, or become shadows and forms like that in Sicily, destitute of all practical utility? Such considerations, interesting to the philosopher at all periods, possess a singular pertinence at the present era, when the struggle for the establishment of constitutional modes of government, all more or less borrowed from our own, desolates the fairest realms of Europe, and keeps up a feverish and unhealthy degree of excitement in most of those which are ruled by absolute power.

When the Curate and the Barber visited the Hero of La Mancha, previous to his third sally, he gave an account of himself with much judgment and many elegant words. In the course of their confabulations, as we are told by the immortal Miguel de Cervantes Saavedra, they fell into a discussion about state affairs and modes of government; correcting this abuse; condemning that one; reforming this custom; abolishing another: and in such manner, saith Cervantes, did they deal with the Commonwealth, that it seemed as

though they had put it upon an anvil, and hammered it quite into a new shape and form.

Now what Curate, Barber, and Knight did figuratively, modern Continental Constitution makers, menders, and marrers, well represented, perhaps, by the Shaver and by Don Quixote,—but much too liberal to take the Curate into their cabinet,—have been doing literally; and I think they might have learned better modes of workmanship, if they had looked into our English smithy, and asked how our own pattern-piece was manufactured out of the rough material. Our constitutional form of government has been produced by evolution. As the organs were needed, so did they arise. Not so amongst our contemporaries on the firm land. They are striving to produce theirs by revolution; they begin by hacking and hewing the body politic into pieces, and expect that, by the magic of republican palingenesy, it will be resuscitated in a new and perfect form.

More wisely have we been hitherto guided. In the worst of our convulsions, we have always respected some rights and principles. In the best aspect of their phases and mutations, they acknowledge none. The truest and most profitable history of the rise

and progress of our commonwealth, is to be found in the documents which evidence the development of our legal constitution.—Comparatively an invention of recent date, our political constitution has not resulted from abstract speculations, but from the growing wants and desires of a progressive state of society. Parliament, according to its present form, derives its modern functions from the period when it proceeded, step by step, out of the ancient administration of remedial and coercive justice: and the real springs of movement of our Government "in the early part of the fourteenth century," are found in the dispensation of the law.

If the committee of Queen Isabell's Cortes would take my advice,—and I will give it in spite of the unsavoury proverb respecting proffered counsel,—they would forthwith begin to study our Rolls of Parliament and Statutes at Large;—if they can't understand them, it is not for me to say where a good commentator can be found.—But in the meanwhile, let us accompany Marco Polo, when, entangled amongst the crowd in West Cheap, he heard the Proclamation that "on the octave of Saint Hilary now next ensuing, our

Lord the King will hold his High Court of Parliament at Westminster."

To this effect, did a grave, handsome-looking personage read from a long parchment scroll containing the "crye," which, in manner beforementioned, announced the appointed meeting of the great Council of the realm.

After a short pause, the Master in Chancery continued his promulgation by proceeding to another paragraph, more particularly addressed to the people at large. All who had any grace to demand of the King in Parliament:—or any complaint to make to the King in Parliament of matters which could not be redressed or determined by ordinary course of the common law:—or who had been in any way aggrieved by any of the King's Ministers or the King's Justices, the King's Sheriffs, or their Bailiffs, or any other Officer:—or who had been unduly assessed, rated, charged or surcharged to aids, subsidies, or taxes, "are to deliver their petitions to the receivers, whom for that purpose our Lord the King hath appointed, and who will sit openly, from day to day,—ready to listen to you,—ready to attend to ye,—in the Great Hall of the King's Palace of

Westminster, at the foot of the staircase on the left-hand side, just as ye enter the same."

Murmurs of applause were heard amongst the crowd, when the King thus proffered his readiness hear any complaint which might be brought against any of his Ministers,—what promise could possibly be more grateful to a true-born Englishman?—and a loud and joyful shout rent the air when the proclamation was concluded.

The whole proceeding, indeed, appeared so pleasing and welcome, as to present a singular contrast to the species of apprehension excited in the County Court when the announcement was first made of the impending Parliamentary election. Yet a short consideration brought the Traveller to a perception of the truth.

"If your Sovereign, in his Parliament,"—said Marco to the Friar,—"threatens to demand money from those who are able to pay, he promises at the same time to dispense justice to those who are not. Exactions made upon the rich are compensated, at least in feeling, by relief afforded to the poor. Those who have neither voice in Parliament, nor suffrage in the election of its members, who defy the tax-gatherer and the assessor, may

all have good and valid reasons for invoking the jurisdiction of the Legislature. This mixed character of your Parliament may, I think, give it ultimately a more permanent character than is possessed by the Councils, which, similar to yours in many respects, do not in this manner fix their roots, if I may so express myself, in the practical benefits afforded to the people of the realm."

"Correctly judged,"—said the Friar,—"but you must not suppose that the remedial authority of our King is restricted to his presence in the assembled Parliament. His aid is certainly afforded in Parliament with more readiness, and with greater solemnity. Many a demand, urgently required for the service of the state, may then be opportunely united to tokens of grace and benignity. But the King is the stem of our Constitution: and from him, the other branches spring and derive their vitality. All the relief which the King affords to his Subjects, when he holds his Parliament, might, if he chose, be dispensed just as well without that assembly."

"As how?"—quoth Marco.

"Because our Constitution is essentially mo-

narchical in its principles as well as its forms, all of which will be better understood by you, if you will walk with me to-morrow to the Palace of Westminster, where the Parliament is held."

"So be it,"—said Marco.—"But we are acting differently in Italy. Professing, with all due humility, to be members of the Empire, we take good care to keep more and more out of the reach of the beak and claws of the Imperial Eagle. Our own Republic is ruled by its Nobles: and the Citizens of fair Florence have granted, and they hope irrevocably, to the Priori, in whom, as ye know, the whole executive power of the state is vested, the power of filling up each vacancy as it arises. The whole body is thus renewed six times in each year: and this system is followed in every Commonwealth, which takes Florence for its model, as the best which could be devised."

"Destitute—as they would appear to me—of unity and stability, have you thriven under these authorities?"—said the Friar.

"Ask the tributary shores of the Hellespont and the Black Sea.—View our arsenals, filled with our

triumphant galleys; enter our vaulted fondachi, where the daylight is intercepted by piled bales of sendal and cloth of gold.—Interrogate our Merchants, our Frescoboldi, our Buoncompagni, our Peruzzi,—who have the revenues of this kingdom in farm,—who make the Potentates of the earth their tributaries."

"And,"—quoth Andrew, who had fallen into the conversation,—"well will it be for us, when we can do the like, or more, binding those three fierce leopards, the blatant beasts of Poitou and Normandy,"—pointing to the Royal pennon—"in the same chain which you have cast round the rapacious bird of the Cæsars."

"I love my own republican city,"—replied Marco,—"but as to birds, there is none so bad as that which befouls its own nest. If you had travelled far and wide, as I have done, you would not have thought yourself compelled to draw the conclusion at which you have arrived. Institutions, wise on the banks of the Arno, may be sheer folly here, upon the borders of the Thames."

"You must have seen,"—said the Friar, interrupting the conversation, as he was wont to do,—

"a great variety of head-dresses in your travels, Messer Marco?"

"Sure have I,"—replied Marco, gesticulating and counting, according to Italian fashion, upon the thumb and fingers of his left hand as he spoke: thumb, "turbans at Damascus,"—fore finger, "sheepskin kalpacks at Balkh,"—middle finger, "red berrets at Fez,"—ring finger,—"scarlet hats at Rome,"—little finger,—"buttoned caps at Cambalu,"—thumb again,—"broad-brimmed chapeaux at Paris,"—fore finger again,—"hoods here in London,"—middle finger again,—"coifs for the Court,"—ring finger again,—"cowls for the cloister,"—little finger again,—"helmets for the field, and many, many more,—every possible variety."

"But, inasmuch,"—resumed Bacon,—"as all men's heads are round on the outside, even so are all coverings, which fit the same heads, round within, however different they may be in external shape, stuff or colour. If you are sufficiently protected against sleet and snow in the mountains, and defended from the sun in the plains, I do not suppose that you, as an experienced traveller, would censure the fashion which that portion of your attire assumes."

"Certainly not,"—replied Marco:—"I neglect the guise, if comfort and protection be attained."

"And so it is,"—said the Friar,—"with the real and essential main-springs of human policy. Alike are they all the world over. Let these be answered: and the sages of all nations are secretly persuaded that the wisdom of the machinery through which political principles are worked, is merely a matter of locality. Your true philosopher estimates the various plans of policy adopted by mankind, simply as the means of insuring the greatest average of happiness to the greatest numbers of society. Therefore I am quite willing to believe, that those who most loudly, aye, and most uncompromisingly, advocate the most opposite institutions, are not unfrequently acting with equal sincerity. The despotic rule of Kublai, and the popular authority of the Florentine Priori, may each be regarded by their respective advocates as being the mode of government best adapted for that end."

"With no difference of opinion upon such matters,"—continued the Friar, speaking slowly and emphatically,—"do I quarrel. But though I wrangle not, I warn. The greatest and most mischievous error which can be committed, is to

suppose, that because any given political institution has been productive of certain good effects in one country, it will continue equally beneficial when adopted in another. Foolish, indeed, would be the husbandman, who should attempt to crop an English farm after the precepts of Columella: or who, because rice flourishes with artificial irrigation, would endeavour to raise his wheat or his barley, by the same mode which produces a plentiful supply of nutritious food in the plains of Hindostan."

"You may remove the grape-stem from Montepulciano to Orvieto: but you cannot transfer the fruit,—the flavour will not quit its original vineyard. The minute particularities of air, of soil, of aspect, and position, concur in no other habitat. Discrepancies of habits and customs, modifications prevailing in the nature and rights of property, so numerous and so minute as utterly to baffle the researches of the desk and closet legislator, will equally qualify and affect the results of any borrowed scheme of authority and rule."

"Add,"—said Marco,—"to your catalogue of the causes of diversity, one not the least important, though frequently the most disregarded—I mean the great incentives of prejudice, taste, and

fancy, as influential upon nations, as upon individuals—

> Varii son degli uomini i capricci,
> A chi piace la torta, a chi, pasticci."

"True,"—said the Friar,—"and the misery of the thing is, that each man endeavours to force his own favourite mess down the throats of other folks, without at all stopping to consider whether the zest which he finds in the dish, may not be in the highest degree disagreeable to his neighbour. Nay, forgetting that, in our homely English phrase, what is one man's meat is another man's poison."

Marco Polo, in his age of darkness, was more consistently philosophical than we are, in this our era of epidemic innovation,—the age in which Judges shed their wigs, and Turks shave their beards. Let us compare the opinion of Marco Polo, with the amusing work of a recent traveller. "No people,"—says he,—"can be "more thoroughly *enslaved* than the Uzbecks, "there is no shadow of popular government: but "still,"—continues the Lieutenant, with honest surprise,—"there is no evidence of popular discontent,"—a phenomenon which appears to him

thoroughly unaccountable. Popular contentment without popular government! Happiness without brawlers in the Town Hall, and bawlers in the Senate. Is not this as strange as nourishment without food, or light without the sun?—How do they manage matters amongst the Uzbecks? What recipe keeps this singular people in a state of tranquil contentment?—Is it to be attributed to the Bang which they smoke, or the bangs which they receive?

Both these sedatives may help: both are capital in their way; but how is Bokhara governed—let us read the Traveller's own words. "The Koran is "the base of the government. The Khan, who is "unremitting in business, attends daily at the "Court-house, with the Cadi and the Mollahs, "to decide every cause, according to law.—The "Koran, their guide, may not be the best standard "of legislative excellence, but this sort of decision "is exceedingly popular, and relieves them from "the 'jus vagum aut incognitum' of a despot. "They are protected by the strict enforcement "of its law, and it leads the people to con- "sider their clergy as their best defenders against "the abuse of the ruling powers."—And thus

does a man of no ordinary intelligence, entirely confound form and substance: and actually lose all perception of the truths which he so lucidly unfolds.—Because he cannot find the precise form which we in Great Britain consider as the machinery of a popular government, he denies the name to institutions, cherished and supported by the people,—deriving their whole strength from the consent and approbation of the people,—and effectually protecting the people against every abuse of power, and against every act, which, according, to their notions and views, would be oppression or tyranny.

Not that it is desirable to adopt the Uzbeck Constitution in the United Kingdom. I delight in the excellence of the Uzbeck policy,—I bend before the Mollahs and honour the Cadi,—yet, dear countrymen,—do not catch any enthusiasm for the Uzbecks,—do not try to imitate them, do not attempt to purchase tranquillity by such superstition, do not reform too much,—let us let well alone. As inexpedient would be the introduction of such a Moslem Government amongst us, as it would be to ask you and me to sit cross-legged on the carpet, scoop out our pud-

ding in our palms, and tear our roast beef with our fingers.

Neither would I advise the dear Uzbecks to copy from us. Let them let well alone.—Place Ibrahim in an English attitude at a dinner-table: he sits upon thorns, and, when he attempts to feed himself, his fingers instinctively ascend to his mouth, whilst the morsel at the end of the fork travels upwards to his eye. Whilst the Koran is the rule of faith in Bokhara, the Khan, the Mollahs, and the Cadi, will do quite as well for the Uzbecks, as the House of Commons and the Union Workhouse for the United Kingdom.

Have I ventured upon dangerous ground?—Sincerely and earnestly do I hope that no observation which I have made will, in the slightest degree, impede the march of improvement in the Ottoman Empire. Crowned heads I flatter not; but I am bound to render my humble tribute of respect unto Sultan Mahmoud, in acknowledging the efforts which he makes for the purpose of enlightening his subjects, though some people think he goes rather too fast. It may be doubted whether he will derive much advantage from the seizure of the *wakoofs* appropriated to the support of the

dancing Dervishes, for the purpose of endowing a Corps de Ballet in their stead. Should the Turks become infidels, his Highness will have gained little by exchanging the bullets of Fieschi and Meunier for the bowstring of the Janissaries. And a good Pacha with three tails, is a cheap and effectual substitute for the most systematic system of codification which the Jurists of the new school can supply.

But the truth is, and I hope the Sultan will know it, that I introduced the Uzbeck quotation, for the purpose of giving a collateral explanation of the working of the ancient constitution of this Realm, when we and the Uzbecks were perhaps upon a par.

Every writer who attempts to develop the history of our English liberties, takes his stand upon the first appearance of the House of Commons, which is generally treated as the first and potential cause of our national prosperity.

Whenever I am in a gloomy and desponding mood, and think that all the world is out of joint, and everything going wrong, it often occurs to me, that if society is disorganizing itself at present, and rapidly progressing towards its dissolution,—for

so I am convinced when I am hipped,—that—without repudiating the influence of other causes, all of which may have co-operated—it is very much owing to the disuse of Dyche's Spelling Book.

What a book of books it was!—There stood the portrait of Mr. Dyche, with his rod, at the beginning.—I think I see him now.—No "Journals of Education," no Pestalozzis, no Hofwyls, no Fellenbergs, were known in his wise days. No societies of national instruction, forbidding us to weep for the loss of birch: and founding their systems for the expansion of intellectual cultivation upon returns of pigs, prints, and pianofortes, and statistical tables showing incontestably, that in those districts where knowledge is most diffused, parricide becomes a rare crime at the age of seventy, and at eighty is almost null. Nobody cared about discipline in the prison,—everybody agreed upon its expediency in the school. Then the spelling lessons, ascending with such beautiful regularity from *a-b*, *ab*, to *ab-om-in-a-ti-on*. But, above all, the invaluable treasure of political wisdom, contained inthe "Easy Fables." The last check upon our morbid appetite for ceaseless change was destroyed, when King Log was wholly forgotten.

And the last means of repressing self-interested empiricism vanished,—when the rising generation had ceased to dog's-ear the page containing the moral deduced from—"Depend upon it, Sir, there is nothing like leather." But what I have in view is the wide-extended application of the philosophy of "the Belly and the Members." Its general moral, as given in the old book, may, perhaps, be faintly recollected by some of my octogenarian readers, but it has another, not less profitable. We may consider it as reminding us that constitutional historians generally forget the truth, that the relative uses and respective strengths of the members of the Commonwealth, vary exceedingly in its different periods: and hence they often apply to the infancy of political institutions the characteristics which only belong to their maturest age.

In the early part of the fourteenth century, the Representatives, whom we now consider the popular branch of the Legislature, had become permanently engrafted upon the old stock of the constitution. Yet we greatly err, if we assume that the feelings of the present generation have descended to us from our ancestors. Direct and textual evidence perhaps cannot be adduced, to show that, in their opinion, the Knights, Citizens,

and Burgesses, were not much more than a chip in the porridge, a virtual nullity, neither doing good nor harm, except as to the benefit derived to themselves, and the damage to the constituents, measured by the amount of that great and standing subject of contest—the amount of their wages. Such a position, I admit, cannot be proved: but we cannot fail to discover many cogent inferences that the Knights, Citizens, and Burgesses, then appeared to be of small importance. All we can say is, that it was generally, though not constantly, thought necessary, that the Sheriff should be commanded to return them, whenever the "full Parliament" was assembled. Beyond this fact we do not advance.

Amongst the many tokens of the comparative inefficiency of this branch of the legislature, a prominent one may be selected. It is well known that the date of the first assemblage of the Commons, is involved in impenetrable obscurity. What practical value, therefore, could there be assigned to an innovation then considered to be of so little importance, that it never excited the attention of a single Chronicler? And by what standard shall we measure the consequence attached to a right of suffrage which the people were at this period

never anxious to exercise: and which was frequently, and on many occasions, so neglected, as to allow it to fall into desuetude?

But the nation, thus indifferent to popular suffrage, manfully defended the laws of England from the old time "used and approved." All prerogatives, however important to the Sovereign, however calculated to increase his authority, however congenial to his pride and feelings; had, whenever they really became a grievance, been restricted, restrained, abolished. Every attempt to exact any tax or tribute beyond the legal rights of the Community, was ultimately defeated. The present exertion of arbitrary power always suggested the creation of a barrier against the future abuse. As soon as any weak point in the fortress was discovered, the garrison erected a bulwark to defend it. There was no lack of protectors of popular rights. And where, then, were they to be found?

Divesting ourselves of modern opinions and prepossessions, an answer can readily be given by consulting the Chronicle and the Charter. Amongst the "Prelates, Magnates and Proceres," are we to seek for all the real and potential materials of the now popular branch of the Legislature. Examine

the origin, the position, the influence of the dignified Ecclesiastics, and the Hierarchy will rise before us as the most democratic element of our old English Commonwealth.

Consider the ancient Clergy, in their relation to what may be termed the individuality of the country. Much of the value of a popular government consists not, as the demagogue employs it, for the purpose of opposition to authority, but as the means of imparting the benefits and rewards of a well-governed Society, in due gradation, to the several ranks and orders of the community. Whatever inequality might subsist in other respects amongst the people, they met on equal terms on sacred ground. For the civil or political ennoblement of talent, the way always opened through the Christian Hierarchy. The mitre, the cardinal's cap, the tiara itself, fell oftenest on the humblest brow. An established Church is the surest possession of the people; when they pillage the altar they despoil their own property;—they waste their own means;—they desolate their own children's inheritance;—they rob themselves.

Such an institution was an easy and acceptable path to greatness, for the lowest of the low: and amongst the Prelates, who sometimes constituted

the most numerous, and always the most influential portion of the great Council, the majority had risen from the humblest rank in society. Were they all truly deserving of their honours?—Certainly not.—Some, it must be admitted, obtained their advancement by casting aside the real duties of their station, and by making the business of the world their primary object. But this was the sin of the man, and not the vice of the Hierarchy.—The most favourite sophism, employed by those who seek to attack or vilify existing establishments—whether ecclesiastical or temporal—is to ascribe to institutions the faults of the human individuals who compose the institutions, and to maintain that by reconstructing the State you can eradicate the abuse. But the stones with which you raise the structure are infected in the quarry. Pull down and rebuild the dwelling as often as you list, change or alter its plan or elevation as much as you please, and the old moral leprosy will streak and fret the new walls as foully and deeply as before. Princes and Rulers, Magistrates and Judges of the earth, are only men; the visible Church is composed of men; and, collectively, man's nature is unsusceptible of reform. The main source of evil is inex-

haustible. It is an atmosphere which constantly follows us, surrounds us. Plant the "mal seme d'Adamo" where you choose, the same bitter fruits will always rise above the ground.

Shall we add to the political integrity of the Clergy, by rendering them the paid agents of a national Treasury?—Seize the lands, rend the mitre, place the priest as the expectant upon the contributions of his congregation:—what has the cause of religion gained? He who flattered the King, becomes the baser sycophant of the greasy multitude. The permanent endowment of a clergy, trains them into moral courage, whilst their dependance upon the voluntary donations of their flock, as surely sinks them in moral slavery.

England, under Charles II., has seen two thousand Presbyterian Clergy, in one St. Bartholomew's day, abandon their preferment, rather than their doctrines.—Venerate their adherence to the tenets which they professed and held.

England, under James II., equally saw Seven Bishops conducted as captives to the Tower, testifying against the tyranny of the Sovereign, whom they honoured and obeyed.

England, under William, again saw Seven

Fathers of the Church, submit to the deprivation of their princely domains and high estate, rather than violate the dictates of their conscience.

These are the disciples of an endowed Church; whilst amongst the endless varieties of sects, sectaries, and persuasions, which fill the eleemosynary pulpits of the American Union, not one single Minister has dared to breathe a syllable in reprobation of that inhuman system of slavery, which contaminates their Commonwealth. Amongst those great and flourishing Transatlantic Republics, who ground their policy upon the equal rights of man, not one Christian Minister dares to risk the loss of a *cent* in defence of the most sacred rights of humanity: whilst in England, the members of the different Hierarchies have, each in their turn, surrendered every worldly possession, ungrudgingly, unhesitatingly, rather than purchase them by the slightest compromise of their principles. Thus, has the Anglican Church identified herself with the state; both are animated by one spirit, united by one vital constitution.

The Anglican Church is not an extraneous or oppressive order, possessing a character adverse to the State; it is not a caste estranged from the Com-

munity. It is formed out of the people: it exists for the people. The Church, as I have observed, and I repeat the observation, is the democratic leaven of our balanced monarchy. The dignified Ecclesiastics of the Church of England were, during the middle ages, always the best, and not unfrequently the only, advocates of the real interests of the poorest, and, therefore, the most defenceless classes. So have they also been, at all times, the means by which the gifts of intellect and intelligence raise the possessor to the highest station in the Community, the connecting link between the Cottage and the Throne.

Whilst the Prelates thus acted on behalf of the people, analogous functions must also be assigned to the great Landholders, summoned to Parliament by special writ, on whom so large a portion of the strength of Parliament depended. However they may have come into that Assembly, and, by whatever custom or usage,—for no law or principle can be discovered,—by which the so-called Baronies of those who owned domains designated by this name, could be distinguished from other analogous tenures: they were, in every respect, as truly the Representatives of their Shires, as if

they had been nominated by the reluctant suffrages of the Suitors of the County Court, anxious only to lighten or evade the trouble and charge which the return imposed.

The plain state of the case, is this: that the Commons only sent to Parliament a few more members of a class, which was already fully supplied. And as for the cities and boroughs, they actually lost in power by the introduction of Parliamentary representation. Before London sent members to Parliament, the King treated as with a dependant state; but afterwards as with an integral portion of his kingdom. Knights of the Shire attended Parliament upon compulsion, if they were elected, whilst the life-holders of Parliamentary Baronies sustained the same obligation without the preliminary of an election. In the early part of the fourteenth century, the *personel* of the Baronage consisted simply of the great proprietors, who, summoned to Parliament, because they had large territorial possessions, were exactly of the same genus as their virtual successors, who, in the last age, were called "Squires." The only specific differences that I can find, are, that they wore greaves instead of leathern breeches: bore a real shield on

their arms, in place of a painted one on the pannels of their carriages: and crests upon their heads instead of their spoons. They were entirely identified with the Representatives of the Shires; both kept the key of the money chest; their interests were the same; their feelings were the same: and so tardily was the idea of nobility attached to the Parliamentary Baronage, that in legal pleadings, the *addition* of Baron was not treated as a title of dignity: nor was the Baron permitted to decorate his brow with the Coronet, until a few years before the expulsion of the Stuart dynasty.

Strange is it, that the assailants, as well as the defenders of our Aristocracy, equally forget the great truth, that the body now called the House of Lords is of much more recent origin than the House of Commons: neither is there, in fact, any legal nobility of blood in England. Nobility of blood, where it exists by law, implies a right, imparted by birth, to every scion of the patrician stock. It infers privileges peculiar to the race: it is a caste among the people, and not an order and rank in society; and these conditions are not in any degree satisfied by the English Peerage.

Hereditary dignities in England, if considered

as personal honours, passed and pass, to an eldest son alone. In the dark and dubious era, when we conjecture that they were territorial, they resulted from the tenure of land. The honour was not partible, one member of the lineage only could claim the privilege, and no more than that one. If the possessions were alienated or lost, the dignity departed. And, with the exception of the Earldoms, which were always transmitted by descent, no proofs or arguments can be adduced to show that any distinct notion of an hereditary House of Lords subsisted in this country, until after the period when our connexion with France had familiarized us with the nature of a body of Hereditary Nobility.

View them under any aspect which you will, our English dignities, failing to impart any legal privileges to the cadets of the family, do not possess any resemblance to the inherent, indelible dignity of a gentilitial aristocracy. But the absence of any legal nobility of blood in England, never has diminished the exceeding value attached to noble birth by the natural and universal feelings of mankind: perhaps, most of all by those, who attempt to cry down that value. The respect rendered to ancestry, the influence which it be-

stows, is a dispensation of Providence in the moral government of the world; not a conventional institution resulting from human authority. It is a talent cast upon the owner, for which he is awfully responsible. Shame fall upon him if he misuse the gift; but disgrace is his, and the gift itself is unstained. It is a possession which cannot be acquired by those to whom it has not been granted by the Father of mankind. It is a pre-eminence which may be rendered more useful, or more illustrious, by wealth, or intellect, or station; but which neither wealth, nor intellect, nor station can impart. It is a power not conceded either by King or by people, and which, neither the arbitrary will of the despot, nor the still more arbitrary tyranny of the multitude, can obliterate. Man cannot bestow dignity of birth,—man cannot take it away. Whatever results from time is uncommunicable, and cannot be supplied by any other element. Hence, nobility of birth is an authority before which man's natural rebellion humbles itself most unwillingly, and which, however ineffectually, the "spirit of the age" seeks most anxiously to destroy.

If there is any one part of the world in

which this "spirit of the age" is most unjustifiable, it is amongst ourselves.—Leaving to this nobility, based upon sentiment, its full weight, we, in England, have been enabled to discard the mischievous policy which, in so many other countries, gave to the one order the monopoly —so unenviable and so envied—of civil rank and power. It is true that, under the Tudors, attempts were made to restrain to "gentle birth" the honours unknown in an earlier age; and the Herald declared that he who was "no gentleman of blood" was unworthy of the decorations, the collar or the mantle, which rendered him the companion of his Sovereign. Had this doctrine, borrowed from the Continent, been accepted, it would have spread like a canker through the State in all its departments: the birthright of the English freeman would have been taken away. But our English feeling annulled these attempts. They vanished away without notice: and thus have we preserved the institutions which give us all the advantages of aristocracy without any of its defects. Our constitution, yielding to the nobility of birth its due ascendancy, has always allowed the full claims of the aristocracy of wealth,

and encouraged the accession of the aristocracy of intellect and knowledge. There has been no jealousy, no grudging. The merchant's mark has been admitted to be as honourable a bearing as the baronial shield: and the robe of estate, exchanged but yesterday for the forensic gown, commands as much respect as though the pedigree of the wearer could be traced from the Norman Domesday.—Our "Libro d'Oro" has never been closed.

But another most important branch of our ancient constitution remains to be considered, namely, the prerogative of granting aid or relief to the aggrieved, in those cases not susceptible of decision by any settled rule: and for which, therefore, no tribunal can be appointed, and no law provided. If, in the early part of the fourteenth century, redress was to be sought against oppression, if the error of the Judge was to be corrected, if his corruption was to be punished, if the rigour of the law was to be mitigated, if grace was to be craved,—where was the application to be made?

It would have been a "bootless bene" to have referred the suppliant to the third estate, the Commons in Parliament, whilst they themselves

scarcely ventured to appear as humble petitioners on their own behalf.—Had the suitor presented himself to the Prelates and Magnates, the second estate of Parliament, they would have denied their own competency to entertain his prayer.—It was, therefore, to the first Estate,—the King in Parliament, that the prayer was to be addressed, and the suit made. The other branches might solicit, but they could not grant, an alteration in the mode of administering the law. They might advise the King to interfere, they might assent to his propositions, but all plenitude of power resided in the Crown. From the Crown proceeded all grace, all mercy, all favour. Whatever remedial jurisdiction the High Court of Parliament ever possessed, can be distinctly traced to the Crown as its source and origin.—Our King was the popular member.

Such, then, was the character of our Legislature in the "early part of the fourteenth century." And let us now repair to the locality, where, at this particular juncture, it happened to be held. Westminster was a wide, and straggling village, rather than a town; whose inhabitants were principally supported by their dealings with the suitors of the courts of justice, and the expendi-

ture of the Royal household: but the castellated palace, extending along the banks of the river, surrounded by pleasant groves and cheerful gardens, and the sumptuous Abbey, imparted a character of mingled amenity and importance to the residence of the English Sovereign.

To the north, however, the aspect of the country was bleak, wild, and uncultivated, and the marshy and flooded swamps indicated the site of the "Isle of Thorns," so solitary and secluded in the days of the Anglo-Saxon kings.

"That Campanile,"—said the Friar,—as they passed beneath a lofty buttressed tower,—"is a recent monument of the unyielding principles of our common law. Equity, as distinguished from law, belongs only to the Crown. One of our Judges having, out of pity, altered the record by which a fine was imposed upon a poor suitor, was himself amerced to the extent of ten thousand marks, a sum which our Lord the King employed in building this Clock-house. Look up, and you will see the great clock,—the bell some people call it,—swinging in the Belfry, upon which the watchman tolls the hours."

—"A task,"—said Marco,—"which at Venice,

thanks to the skill of Jacopo Dondi, is performed by the weights and wheels of the horologe adjoining the ducal palace."

"And do your citizens of Venice,"—replied the Friar,—"regulate themselves by this, the horologe of the Signoria?" "Yea, do they,"—quoth Marco, "as in duty bound."

"Then if so, I trust that due care will always be taken to make your government horologe go right, since otherwise, one of two unpleasant things will take place in your Republic. Either the people will be constantly misled in their transactions by a time-teller, whose inaccuracy they do not perceive: or, discerning its errors, they will try to take the regulation of it into their own hands, and destroy the wheels by their rude and untempered violence."

"May be so,"—quoth Marco,—"but still on the whole, there is less chance of confusion than if every man had an horologe of his own. In my opinion, the main object in a state is to go altogether; and a diversity of reckoning in the community is an evil by no means compensated by the accuracy which any individual may acquire."—Marco here was not quite so sensible as usual.

But as I feel myself bound to edit all I find, I could not venture to abridge my original, and fortunately his discourse received a new direction before he could commit himself further to posterity. "What is this, Friar?"—said he, touching with his foot a small packet, neatly folded and closed with green wax, which was lying on the pavement of the walk leading to the door of the Hall.

"Oh! I can guess,"—said the Friar, eagerly snatching up the parchment, and tearing it asunder, "but,"—added he,—"the kingdom will profit little by my diligence in suppressing treason or sedition. All will come out fast enough, for that worthy Canon of St. Stephen's Chapel, pacing before us in his amice, who hath lighted on a similar despatch of evil, is, I see, carefully treasuring the same for the use of Parliament."—We shall soon ascertain in what manner the Friar's observation was verified; perhaps even we may obtain an insight into the secrets which this mysterious packet contained.

It will be recollected that the people were invited, nay, urged to prefer their complaints to the King in Parliament. Marco now witnessed the arrangements by which the Sovereign redeemed his

pledge, and displayed the noblest of his prerogatives, acting as the protector and guardian of the people over whom he extended his authority.

The receivers of the Parliamentary petitions, in which such relief was solicited, were stationed at the foot of the Hall stairs: and, when the visiters entered, they were in the full bustle of their employment. Applicant after applicant crowded up to them, no suitor was turned away.

"The King,"—said Marco,—"is virtually sitting at the gates of his Palace, listening to the prayers of his subjects."

"He is, in truth,"—replied the Friar,—"thus performing the most essential portion of his duties. Did our Sovereigns, as of old, and according to the custom which, as you well know, prevails in the East, attend in person to the claims of the suitor, justice would, perhaps, wear a more impressive garb, but the substance would be sacrificed to the form. Of the complaints thus preferred, many are trivial, many unfounded: and, if the Sovereign in a realm like this, were to attempt to hear the cause and case of every demandant, none of the other functions of Royalty could be properly performed. Not that our King absents himself from

this his High Court of Justice: but he divides the labour with those selected Councillors who, chosen at his pleasure, assist him by their sagacity and wisdom. He deputes his functions to them. He is not above their advice, although he is above the law. But follow me, and you will know how, by the ordinance and appointment of King Edward, the proceedings before him or those who in Parliament act by his delegated authority, are methodized and reduced to order. Thus is justice administered with due dispatch and fitting equity."

In the chamber which they had entered, sat the *Triers* of petitions, officers who seem to have been first instituted by the Monarch upon whom the title of the English Justinian has been bestowed. If taken with reference to the mere form and guise of the statutes and ordinances of his reign, this epithet may, perhaps, appear as conveying more praise than the first Edward deserves. But throughout his conduct we may trace a consistent principle of legislation: and, at all events, he may be considered as having imparted order and stability to the system of our common law, and to the jurisdiction of Parliament, as

the King's remedial or equitable Court when the common law should fail. Liberty was insured, not so much by the permanent addition of a popular branch to the legislature, as by rendering that legislature more efficiently and permanently a court for the people. For the King's Council became virtually a Committee of Parliament; and, as I have before observed, the idea of the relief of private grievances became an essential character annexed to the legislature of the realm.

Parliament, in the "early part of the fourteenth century," cannot certainly be exhibited as the perfect model of a remedial Court. But I am prepared to say that, saving everybody's presence, it came nearer to it than any subsequently created tribunal. Nothing but a complete examination of the petitions presented to the King in Parliament can convey any idea of the facility with which the humblest suitor obtained at least a hearing, or the promise of a remedy. Legislators should consider that the speedy redress of minor complaints is the great secret by which the tranquillity and well-being of state and commonwealth is sustained. Every man knows where his own shoe pinches; and if you give him ease, he will forthwith thank

you, and fall to his own work again. Individual hardships are the stings which irritate the common people. They refer them as a matter of course to "Government," and to those institutions by which government is upheld. The mechanic who is unfairly cast in the courts, miscalled of conscience, or racked by the broker, hies to the political union, and looks for a remedy, in vote by ballot and universal suffrage, for all the misfortunes which he sustains.

My readers may, perhaps, not be aware that at the opening of every new Parliament, Triers or Auditors of petitions are still appointed in the ancient form by the House of Lords. Now, of course, they do nothing. It was not so in the "early part of the fourteenth century;" they were busily and usefully employed in giving answers to the petitioners, a motley crowd, anxiously awaiting at the door until called in to receive the interlocutory judgment of the tribunal.

A lively discussion was going on amongst the Auditors when Marco and the Friar entered the chamber. "There is no doubt whatever,"—said a stately personage, who was already well known to the visiters as Sir William de Ormesby,—"of

the general principle by which we ought to be guided when we sit as the depositories of the transcendant prerogative of the Crown, namely, that no remedy is demandable from the King in Parliament, when the relief can possibly be obtained elsewhere: but the difficulty is in the application of the principle. It is quite clear that, in itself, the case of William de Walton requires nothing but a writ at common law. It is not a case for Parliament. Walton sustains no duress, he makes no allegation that the assize cannot be fairly had, or that he is in any wise in fear or danger from the power of his adversary. The petition ought to be forthwith dismissed, for it showeth nought to which the King's equitable jurisdiction can be applied."

"True,"—observed Sir Richard le Scrope,—"yet, if driven to the common law, the utter poverty of the petitioner will entirely prevent his suit. He hath a right to demand his land, but my Lord Chancellor hath an equal right to demand his due. The Great Seal will not open until it is touched with silver. Then, since we must send him to the Common Bench, let us at least smooth the road by ordering that he shall

have his writ without payment of fees to the Chancery, or fine to the King;"—a proposal against which no dissentient voice was raised.

"Your poor Bedesman,"—said John of Boothby, a very simple and quiet-looking countryman, who now addressed the Court,—"bears a wolf's head upon his shoulders, which said head he will assuredly lose if he returns into Lincolnshire: inasmuch as the coroners, if they can catch him, will chop it off without further delay."—Please, Reader, to recollect, that, as I have before shown and remarked, decapitation, in the fourteenth century, did not constitute an indulgence reserved for a privileged class, but was the ordinary mode of inflicting the summary punishment of the law.

"How universally,"—said Marco,—"this unaccountable delusion of Lycanthropy still extends. Even in Bengala I have heard exactly such tales of transformations as those by which the peasant of Artois and Ponthieu is scared. The beast, indeed, is different. In Hindostan, the hated sorcerer assumes the shape of the tiger, and thus assuages the fatal thirst of blood, which ultimately consigns him to destruction."

"We have no lack of loup garoux in England,"

—replied the Friar,—"but you must not suppose that, as yet, they claim privilege of Parliament, though there is no knowing how we may improve in after times.—You are, in this instance, excusably misled by the figurative imagery employed by our Anglo-Saxon ancestors. Law spake in verse, the decree was set forth in rhythm, the legal transaction was clothed in a metrical form: and hence, the language of the ancient Teutonic jurisprudence abounds in allegories."

"The outlaw is compared to a wolf. He who flees from the tribunal, breaks the bond which unites him with the community. Refusing obedience to the law, he deservedly loses the protection of the law, his property is forfeited: and our customs teach that he is to be hounded and slain like the wolf, the ravenous beast whose head he is said to bear. Rebelling against the obligations of civil society, he is justly deemed unworthy of its safeguard."

"And for what trespass, Boothby," said Sir William to the petitioner,—"were you by the Coroner in County Court duly exigented and proclaimed?"

"A little misfortune about a sheep:—a matter

of which I am as guiltless as a lamb: and I humbly crave of your Lordship's mercy that I may be made a man again."

"You mean, I suppose, to solicit, that your misfortune, which some folks unkindly designate by the appellation of a theft, should be pardoned. Know, then, that the power of forgiveness belongeth not to us, it is a prerogative appertaining alone unto our Lord the King. Yet Parliament is adorned by grace. Parliament is a season of kindness and mercy, as well as of justice. It is a time when the suppliant may more easily approach the throne; ye shall have the benefit which the King in Parliament can afford ye." So Sir William took up the petition, and endorsing the recommendation of the Auditors, that the pardon should be issued,—"*S'il plait au Roy*,"—the clerk forthwith placed the petition in the *liasse* or bundle which was to be presented to the Sovereign: and the Wolf departed, not as he came, but in cheerful expectation of resuming his station in human society.

"Thrice have I been denied the right which I have craved,"—exclaimed a young woman, who now approached the table,—"and from our Lord

the King, he who wears the English Saxon Crown, and who hath sworn to observe the good laws of the Confesser, do I now demand that even justice which hath been refused to me at home."

Marco and the Friar immediately recollected the damsel. She had lost the freshness which shone upon her countenance when they first saw her on the brink of the clear Okeburne; yet though harassed and worn by fatigue, she still looked extremely pretty. A fair countenance is usually supposed to win favour: but, paradoxical as it may appear, this circumstance, instead of conciliating magistrates and magisterial personages, not unfrequently elicits an extra degree of harshness from them. I cannot at all say why this effect is produced, unless from the apprehension, on the part of these excellent functionaries, that the consciousness of personal attraction emboldens the owner to make undue inroads on the patience or forbearance of the tribunal: or that they wish to earn the character of the most untemptable and rigid justice. And so it was on this occasion, for Sir William angrily checked the girl. "Silence," —said he,—"Mauther, or state your grievance, if you have any: prate not about the days of yore."

"The observations of this wench are more out of season than out of place,"—quietly replied Sir John le Breton to his colleague,—"for the supreme remedial power which the King enjoyeth in Parliament is, as I ween, deduced from the laws of the Anglo-Saxons which whilome prevailed in this realm."

Ormesby relaxed; and the maiden, possibly under the influence, not entirely unsalutary, of the awe inspired by the gravity of the court, set forth her case with more brevity and clearness than could have been anticipated. If her story was true, she had indeed sustained a fearful wrong.

Of free birth and blood, the lord of the manor, Sir Richard de Pogeys, where the parents of the orphan dwelt, had claimed her as his nief or native, the name by which the female villein was designated in England: with extreme difficulty she escaped from his violence. And more than this, "A tenant of the manor,"—the damsel blushed as she mentioned him,—"who duly performed his services, and acquitted himself towards his lord, had been cruelly assaulted by the bailiff of Sir Richard, ejected from his holding, and cast into prison. Such was the power and influence of the

knight, supported as he was by his friends, and by the patronage of Sir Robert de Vere, that unless a speedy remedy was provided, they would be utterly undone by his malice and fury."

Facts thus detailed, left no doubt, even in the cautious mind of Sir William de Ormesby, that the aid and interference of the King in Parliament was fully justified: but the case required a two-fold remedy. The freedom of the parties was to be claimed by civil process, and the writ *de libertate probanda* was forthwith ordered to be issued out of the Chancery: but the wrongs perpetrated by Sir Richard de Pogeys, were to be redressed by a special commission; and as it was very important that the commission should be worked by judges equally above temptation and above fear, Sir William himself allowed his name to be inserted in the patent, which was forthwith made out and duly doqueted "*per petitionem de Parliamento:*" and pretty Alice withdrew from the chamber, with many a benison for the King and the Lords of his Council in the High Court of Parliament assembled.

Let me request the reader to pause and consider the symmetry and consistency of our ancient legal

constitution. In the Crown, the first estate of Parliament, resided the power of originating relief. Extraordinary jurisdiction was exerted on behalf of the otherwise helpless suitor; but when the process was launched, the remedy fell again into rule, and was to be received from the ordinary tribunal. A prerogative above the law was exercised in consequence of the exigency of the case; but the proceeding was entirely within the compass of the law; and whilst the plaintiff was supported by the special aid of the legislature, the defendant yet retained all the protection which he was entitled to claim from the forms and maxims of the jurisprudence of the realm. Whether, at the present day, the extraordinary jurisprudence of the third branch of Parliament possesses the same harmonious consisteney, will be a question which future Seldens may discuss: as for me, it is above my station and beyond my powers.

Like every other portion of the palace of Westminster which had been renovated by "Henry, the son of John," the Council Chamber was richly decorated with sculpture, and also with paintings: some few similar specimens survived until the late conflagration: several others might also have

existed until that period, had they not been rudely destroyed for the purpose of raising the very buildings which principally contributed to feed the devouring flames.

Of these representations many were symbolical or allegorical, and belonging to a class which sometimes strangely perplexes the antiquary, until he learns to read the mystic lore displayed to every observer, and yet concealed. Here might be seen the Law under the semblance of a Queen, her crown falling from her tresses. A thick veil covers her downcast eyes, the broken tables drop from her grasp.—Opposite is the emblem of the Gospel, a maiden, brightly looking heavenwards, her head endiademed, the budding lily in her hand.—These occur in the deep recesses of the windows; the wall between them displays the legendary tale of Solomon and Marcolphus, a fiction, possibly rabbinical in its origin, and recounting the trials which the wisdom of the Monarch sustained from the rude mother-wit of a Syrian husbandman.—Over the Throne reserved for the King, was a representation of the day of judgment.—But the portal opening into the chapel had no other ornament excepting a vine, which,

springing from the impost of the door, spread around, richly filling and most gracefully entwining every moulding and columnette with its flowing branches, its tendrils, its fruit, and its leaves.

Each of these embellishments taught a lesson connected with the purposes to which the buildings was applied. It was the custom of the mediæval architects thus to appeal to the imagination, sometimes to the conscience, in the decoration of their edifices, by which they gave a degree of sentiment to their structures which the moderns cannot attain. Allegory constitutes the intellectuality of the æsthetic arts: but it is wholly alien to the multitude in our own age. We have no means whereby it can be vernacular. None of the forms, none of the graphic symbols which we can beg or borrow, ever became naturalized. We may be clever mocking-birds, but we have no song of our own.

"Would it not be possible,"—said Marco,—"to give greater durability to the works of the pencil which adorn our buildings, by employing oil as the vehicle of the pigment, according to the regulations of the Painters' craft? I do not see why the art used in decorating the gay and variegated war-saddle, might not be adopted for the

effigy of the Knight mounted on the steed,—nor why the material which fixes the tinctures of the armorial shield, represented on the satchel which contains the Great Seal, appended to that Charter, should not equally be used by the cunning workman, in portraying the figures before us; nor why the azure of this starry roof,"—the roof, in fact, was thickly sown with golden stars—"should not be mixed according to the directions of the ordinance affirmed in Guildhall."

Unusual sounds interrupted the speaker,—chains were heard clanking without, as the wearers of the bonds paced slowly and painfully along. Marco looked with eager curiosity towards the door, and a numerous body of culprits, in the custody of the Marshal of the Household, stood trembling before the Council-table.

"Perjured Jurors these, may it please your Lordships,"—said the Marshal,—"who, as it hath been proved before you, have preferred a false and malicious indictment."

"Take them hence,"—was the sentence of the Council, pronounced by the mouth of Sir William de Ormesby,—"lead them at mid-day, through the highways and streets of the City unto the Tower

of London;—be their guilt known, their infamy proclaimed, that the country may be warned by their punishment and shame."

"The stars of this chamber,"—observed Marco, "do not present a benign aspect."

"Say not so,"—replied the Friar.—"Were it not for the rigid and searching jurisdiction exercised by the Council, our mode of trial by Inquest or Jury, would be the destruction of the Commonwealth. On ordinary occasions, when no angry passions are excited, and no conflicting interests are at stake, there is no reason to apprehend that the jurors will falsify the truth, or wantonly pervert the righteousness of judgment. But it is far otherwise, when a powerful individual possesses the means of intimidation or corruption: or when the hot and angry feelings of these dissensions which have too often divided our State, rage in the community. Trial by jury then places the sword of justice in polluted hands, who wield the weapon merely for the purpose of satisfying their avarice or glutting their vengeance. And it is only by the power which the Sovereign possesses—and which is very often exercised in this Starred Chamber—of affording re-

dress when the common law fails to reach the evil: and of inflicting most signal chastisement upon those offenders, by whom the common law is abused, that any reasonable degree of good order is maintained."

Marco Polo, during the sitting of the Board, had frequently looked at one member of the council with much earnestness and curiosity, and with that kind of puzzle which we feel, when we think we see an acquaintance whom we cannot exactly make out. This individual sat at the lower end of the table amongst the civilians, but the other Councillors seemed to be frequently asking his advice: all treated him with much respect and courtesy.—"I cannot exactly recollect,"—said Marco,—"where I first saw that Doctor, or some one bearing the strongest likeness to him: I think either at Padua or Pavia."

"Most probably at Bologna la Grassa,"—replied the Friar.

"Bologna,"—said Marco, doubtingly,—"he cannot be one of the Accursii?"

"Even so,"—replied the Friar,—"and an old acquaintance of mine. He is Principal of Beaumont Hall at Oxford. Much also is he honoured

at Court and in Parliament, being the King's private secretary. King Edward has great views, he labours always to be enabled to defend himself by the pen, before he draws the sword. What a case hath he not thus made out against the Scottish Rebels?—He wishes to found his empire upon public opinion,—to appeal to reason as the basis of his authority."

"Written reason,"—said Marco.

"Yea,"—said the Friar,—"the written reason of the civil law, which, known to all the nations of Christendom, might, if obeyed by common assent, furnish the means of deciding all questions of international policy, without the necessity of the last 'grand assize' of war."

The Council was now breaking up, and its members preparing to join the Peers; when the Friar, beckoning to Accursius, introduced him to the Venetian traveller.

"King Edward is gracious and wise,"—said the Civilian, in reply to the inquiry made by Marco,—"he hath guerdoned my services by a grant of the Manor of Martello."

"Martleigh, we call it in English,"—said Bacon.

"Martello or Martelli, it is all one, provided I receive the rents and profits thereof,"—replied Accursius;—"and, from time to time, the King remembers me most kindly. The annual salary of forty marks of silver, and the robe, the livery which I wear, retain me in his service,—and it was but the other day, that the sum of two hundred pounds in sterling money, testified the estimation in which he was pleased to hold my poor endeavours."

"And assuredly,"—said Marco,—"not a higher price than they deserve; but I rejoice to find on this side the Alps, one whom I will make bold to call my Compatriot, holding so distinguished a station in this flourishing kingdom."

"Would that we of Italy could really call ourselves Compatriots,—would that we really had a country,"—replied Accursius,—"and that, instead of beholding each city raising its banner against its own kindred, we were united under a protecting Monarch, who, like the King of these Realms, could exercise the high offices of chief conservator of the peace, and dispenser of remedial justice, when all other authorities fail.—We, on the contrary, acknowledging in our books and laws the supremacy of the Emperor, discover in

his sovereignty nought but the means of mutual vengeance."

"Are the people happy and contented under this English government?"—said Marco.

"Judge by the policy of the realm,"—replied Accursius.—"Every man in England, whatever may be his degree, is not only allowed, but compelled, to bear arms in the defence and safeguard of the country. I believe that such was always the law, but King Edward hath enforced it by his statute, enacted or promulgated at Winchester; and the very poorest churl, who tills the field, must display his sword and his dagger, or at least his arrows and his bow."

"Praise to your courtly caution,"—said Marco, —"in thus evading my question. The fact, at least, is interesting to the traveller;—but if this trust and confidence, placed in the people, be a proof of their loyalty, how came it that the weapons have been so often turned against the Sovereign?—At this very moment, as I know full well, a most determined opposition will be offered against the subsidy required by the crown."

"In truth,"—remarked the Friar,—"the temper of the English people affords problems which

it is difficult to solve. All I can say is, that concurrent with extreme fits of turbulence, and not unfrequently of violent and unsparing hostility towards the person of the Sovereign,—there is yet a strong attachment towards the royal authority. They feel it is good for them,—but neither this attachment, nor the duty which they owe to their country, has ever been sufficient to dissuade them from the most envenomed discord."

"Know ye Dino Compagni, the Gonfaloniere of Florence?"—said Marco.

"He,"—replied Accursius,—"who, as it is bruited, intends to write the history of the Republic."

"The same,"—said Marco;—"and the story which I shall tell you as succinctly as possible, will perhaps be inserted by the Gonfaloniere in the pages of his Chronicle.—Look for it there, should he complete the useful work upon which he is engaged."

"But a little while ago, when the fury of the Bianchi and the Neri ran so high upon the expected intervention of Charles of Valois, there came,—as Dino said,—into his mind, 'a good and holy thought.' Summoning, by virtue of his

office, a general assembly of the citizens in the baptistery of Saint John, where every Florentine is christened; he there urged the people to peace and concord. How could they,—he asked them,—all brethren of one state, joint owners of one noble city, and who had all beneath that dome received the seal of Baptism, thus live in perpetual hostility. Upon that holy font which stood before them, and in which they had all been adopted as the children of one common Father, he besought them to swear that they would fulfil the pledge of love and charity. Melting into tears, they unanimously gave the promise which he required, and promised to put aside their enmity for ever."

"Florence will, I fear, soon forget her vows. But the argument employed by the Gonfaloniere contains the only principles, upon which government can be securely founded. Without neglecting, as collateral inducements, to insist upon the temporal blessings which Providence always confers upon those who faithfully seek the paths of peace: still the only mode of insuring our continuance in them, is by looking to the example, and following the precepts, of the Shepherd of Mankind."

"What news!"—exclaimed Friar Bacon, to Master William de Bremesgrave, one of the Clerks of the Pells, who approached in great apparent dismay.

"News which has no novelty,—the old story: refusal to grant the subsidy, unless the King complies with the demand of again confirming the Great Charter. All seemed going on well. Master Anthony Beck, the King's Secretary, who manages well for his Highness, and better for himself, since they say he is to have Durham,—the poor old Bishop is given over,—had required the tenth penny as an aid. It was more, the Secretary was well aware, than would be granted: but he knew that, in Parliament, nothing is lost by asking; and, on the part of the King, we of the Treasury were quite prepared and ready to accept the fifteenth, for which the way was opening finely before us. The Chancellor of the Exchequer was in high glee, and sent word to the King that all was safe: but albeit he is my superior, I am his senior; so I ventured to give a word of advice, and I told him not to halloo till he was out of the wood. Scarcely had I said the word, when the Barons, joined by the Knights of the Shires, rose in a body, and de-

manded a new perambulation of the forests, and full pardon for all offences against the King's deer."

"We had no authority to concede this point. And as we were considering how to act, in came Sir Ralph Chaworth, one of our great Barons, who, as you know, always takes the lead on the discontented side,—and moreover exceedingly out of humour in consequence of some judgment which has just been passed against his nephew, Sir Richard de Pogeys, in the Council,—and accompanied by Whethamstede, the factious Canon of St. Stephen's, who appeared with much mock solemnity as the bearer of a letter from Merlinus the Wild, the mad prophet of the Western Britons, and which had been found in an old wall."

"From Merlin,—the prophet,"—said Marco.

"Please you,"—said the Clerk of the Pells, —"such are the devices which malignants are wont to use; when they disperse their sad prose and sadder rhymes, for the detriment and confusion of the Commonwealth."

Entirely correct was this description of the epistle. Merlin was made to rejoice therein, that a heavier servitude had now fallen upon the English, than ever they inflicted upon the Sons of

Cambria. Forgetting, however, his character as a Briton, Merlin deploreth the loss of the good old Saxon liberties, when in the days of Alfred, and in one single year, forty-four Justices suffered the righteous penalties of the law. Equal vengeance was imprecated upon the cankered Council of the King, and the quibbling lawyers who entertain every complaint which the shameless quean and the unbuxom churl prefer against their superiors: and when the Lord is deprived of his lawful franchise of taxing his tenants without their consent: and of not being taxed without his own.—"Barons," Merlin says, "you lose in your Parliament what you have conquered in the field." "Certain other matters,"—continued the Clerk of the Pells,—"were mentioned, but were not read aloud; some say that a privy message was brought from Guildhall, declaring how the good men of London would stand by the Knights, Citizens and Burgesses of the realm, in opposing all iniquitous demands. Merlin's exhortations instantly commanded disobedience, and no command could be more readily obeyed. In fact, it seemed as if the message from him had been expected. And, as I have told you, the upshot of the business is

this,—Barons and Commons are in one and the same ungracious mind, the subsidy is lost."

This adventure requires some little explanation to render it intelligible.—You must be informed that, in the middle ages, nay, at a later period, it was a very usual practice to *disseminate* opinions, literally. Not by presenting them to you upon a broad sheet at your breakfast-table, but by sowing or casting the writings in the highways and byways, dropping them in the cloister, or thrusting them under the door, leaving the productions to take their chance, as to the small fraction of the "reading public," into whose hands they might fall.

It may be recollected that Lord Coke, in his reports, gives special directions how a good subject should demean himself in the case of *finding* a libel, an event which we should scarcely contemplate as a probable occurrence, however rife these effusions may be in the land. And the usage of thus practising actual dissemination continued even after the Elizabethan era, when the printing-press, under the active guidance of Martin Marprelate, Timothy Trouncepriest, and Christopher Clawclergy, had begun to supply a readier mode of pouring forth malice and sedition. Were this the

place, I could add some remarkable historical examples of the efficiency of these means of fomenting discontent, and exciting resistance against lawful authority.

The nomenclature, as well as the style of these exhortations, was sometimes borrowed from romance: more frequently from the apocryphal prophecies so current in the middle ages. The rebel chief assumed the name of the fabled Arthur. And the pigmy fomenter of agitation, who now struts like a giant in the columns of the newspaper as Civis or Scrutator, or Vindex or Publicola, then sought to enshroud himself in the character of Sybilla, or Waldhave, John of Bridlington, or Malachi of Armagh, the sedition acting more powerfully upon the imagination from the mystery in which it was enshrined.

Treason, indeed, in all its branches, owes a considerable portion of its attractions to the same cause. The mind receives a strange pleasurable stimulus from concealment, hazard, danger: and the same feelings which give attraction to the dramatic tragedy, tempt us, when but a little heightened, into all the excitement of crime.

With respect to the effect here recounted to

have been produced by such a flat and pointless composition as Merlin's prophecy, it is an event of which we see the like every day. If it be true that a word to the wise is enough, we may affirm that half a word is more than enough, when addressed to any bad principle implanted in the human heart. The effects produced by these and analogous appeals frequently appear singularly disproportioned to their cause. The most energetic efforts to rouse the feelings of a people or a popular assembly, often end as they began, in empty sound: whilst, on other occasions, comparatively feeble means of excitement are responded to by the whole community.

In all such cases, the voice gives the last concussion to the air, which was required to bring down the impending avalanche. But the snow which composes the avalanche itself, brought forth from the treasury of the clouds, has been long accumulating on the edge of the mountain precipice, heaped up by the winds of heaven in preparation for the fall. It is neither the activity nor the ability of the demagogue which gives him might. Rage as much as he may, he does nothing by his own power. He appears to the crowd as an active and

actuating cause; but he is only employed or suffered as an instrument, receiving all his energy from the influences around him. He fancies that he guides the storm: but he is merely the conductor through which the electricity of the atmosphere is discharged.

Return we now to our voyager and his companions. "The Prelates and Magnates are still sitting,"—said Marco.—"Yes, though in great turmoil,"—replied the Clerk of the Pells; "but as yet, we have not seen either Metropolitan, and all men marvel much at the delay; but follow me into the Parliament chamber,"—continued he;—an invitation which both Marco and the Friar gladly obeyed.

The door was guarded by the King's Sergeant-at-Arms, who, at the present day, still attends the House of Commons by the special permission of the Sovereign, and not by any authority properly belonging to the House: in token of which, the mace is surrendered by the Speaker at the close of the Session, and deposited in the Royal Treasury, now called the Jewel House, in the Tower. It was a strange concatenation of events, that the apprehensions excited by the ataghan of the old man of the mountain should have been the primary

cause of the placing the ensign of the Speaker's authority upon the Table of the House of Commons. An officer, first created as the special guard and attendant of Royalty, now does duty before the popular branch of the Legislature. It might be as well if our Commons would sometimes bear such historical facts in mind, in order that they might recollect that it is as the King's High Court of Parliament they assemble, and that if they are the representatives of the community, they are also the Council of the Crown.

At the beck of the Clerk, the door unclosed, and the strangers had scarcely entered the chamber when Bardolph du Tyl, the Gascon, the King's Pursuivant, rushed into the Hall, exclaiming in tones of horror,—"Murder, Murder!—My Lord the Archbishop of York is murdered by the Lord Archbishop of Canterbury in his way to the Parliament House."—The whole assembly was astounded.—"The road by the side of the river along the Strand, as your Majesty well knoweth, is but a perilous slough, and my Lord of York's mule, sure-footed as she is, could scarcely pick her way amidst the ruts and mire. Just as my Lord of York was in that solitary spot, not far from the Pound, over against the church of Saint Martin,

my Lord of Canterbury, who had stationed himself in the adjacent fields with a large body of forces, suddenly rushed upon the flank of the procession. At the same moment, my Lord of York was furiously attacked in front by the Prior of St. Bartholomew's, who had been warily lying in ambush behind Charing Cross. My Lord attempted to retreat to York-House: but my Lord of Canterbury furiously pursued his brother Prelate, and with one fell stroke brought him to the ground, the Prior then drawing his—"

"Master Chancellor,"—exclaimed the King, rising hastily and anxiously from the throne,—"you shall answer for your negligence in permitting this most dreadful affray."

"Gracious Sovereign,"—replied the Chancellor, dropping off the Woolsack upon his bended knees,—"every precaution was taken to prevent hostilities between the two Primates, which could be suggested by the sad and woful experience of their long-continued and inveterate feuds. In order to furnish a sufficient defence, the whole posse comitatus was raised for my Lord of York's protection in every County on the great North Road, from the borders of Nottinghamshire, where, my Lord's

Diocese ending, he entered the hostile country. All the constables of the Hundreds marshalled their forces in every town in which his Grace was expected, for the preservation of the peace, and for guarding him against the attacks of his enemies. Furthermore, the Lord Mayor and the Sheriffs of London were most strictly charged, to prevent any battles or affrays between the dignitaries....."

The Chancellor was proceeding with these details, relating to his own vigilance, and, even at this distance of time, they appear so satisfactory, that we cannot doubt but that he would have fully exculpated himself from the charge of want of true regard to the safety of the Prelates, had not his explanation been interrupted by the appearance of both Archbishops, both alive, though not merry,—both round and sound in body,—both unhurt and unwounded,—but each looking as fiercely at his adversary as the figures on the corbel table of a Gothic building, and keeping at a distance from each other, which, though in ordinary language it might be termed respectful, clearly indicated anything rather than the mutual respect of the respective parties.

The subordinate personages, however, who fol-

lowed in the train of their principals, were not in equally good plight, and their appearance clearly showed that there had been, what the energetical letter of the Archbishop of Canterbury afterwards styled "*ung moult horrible debat*," between the Prelates or their partisans, though its consequences had been much exaggerated by the reporter. But to do justice to Bardolph's veracity, he had told his tale, as he had heard it from the Usher, who had heard it from the Doorward, who had heard it from Gerard Vantbrace, the Porter of the Palace-gate: and which Porter, wisely supposing that, during Parliament time, the most constitutional course which he could pursue would be, to leave the gates open to all petitioners, had, after carefully fastening them back, and leaving little Margery, his daughter, to supply his place, retired for a while to the Rose—an inviting hostelry at the east end of the adjoining Abbey,—and upon the site of which, in after-times, was erected the gorgeous mausoleum of the first of the Tudors.

Gerard himself, when refreshing himself at the Rose, had obtained the intelligence from Walter the Bowman, who, during the skirmish, had scrambled up to the top of one of the great elms

which surrounded Charing Common. And the narrative having been transmitted through so many tale-bearers, none, perhaps, particularly favourable to the clergy, we need not wonder at the enlargements which it had received.

The two chief combatants, the Prior of St. Bartholomew's, and the Abbot of Fountains, who officiated as crosier-bearer to the Northern Metropolitan, had been pretty evenly matched. The Prior, however, received the worst punishment, for, though he was the more powerful man of the two, yet Fountains' was his superior in agility. The Abbot's cope torn to tatters, and his bleeding nose, bore testimony to the prowess of the Prior: whilst the Prior's shaven crown equally displayed the dexterity with which the Abbot had wielded his weapon, the crosier, the dire cause of the present most indecorous contest.

Resulting from a rivalry, which dated its commencement from the era of the Saxon Bretwaldas, the conflicting pretensions preferred by the two Archbishops of the English Church, had been but imperfectly settled by the celebrated decision that York should be Primate of England, and Canterbury of all England. All the doctors of

the Sorbonne, excepting perhaps the learned professor who wrote the treatise "De omnibus rebus et quibusdam aliis," might have been dumbfounded by being called upon to explain in what manner a whole can be less or greater than itself: or how the Primate of England could find a spot from which the jurisdiction of him of all England was excluded.

Whilst the Prelates continued in their respective provinces, each could, nevertheless, comfort himself with the undisturbed exercise of his primatial dignity. And the convocation or Council of York might follow the example of Canterbury, in assenting to the same identical canons as had been adopted in the South, and yet without directly quoting the precedent, or acknowledging the authority of the concurrent assembly. But the case altered most materially when either Archbishop was required to pass out of his own province into the country of his rival, for the purpose of attending a council or a Parliament: and which contingency happened, of course, whenever such a meeting was called. On these occasions, the bearing of the Crosier before the Archbishop of York, as an ensign of his dig-

nity, was grievously resented by the Archbishop of Canterbury, or his officers and retainers: York did the like whenever occasion offered: and, without in anywise neglecting their canonical appeals to Rome, they equally proceeded by the old English mode of assault and battery.

Thus, when, in the reign of Henry II., the Archbishop of York took the post of honour, the numerous Suffragans of Canterbury, against whom the few prelates owing obedience to York were most unequally matched, rushed pell mell upon him, and, after knocking him off his seat, fairly or unfairly beat him out of the Council. And so little was this indecorous rancour diminished in subsequent reigns, that, whenever a Parliament was held, the writ of summons to the Archbishop was accompanied by urgent instructions to the sheriffs and magistrates for the preservation of the peace. They were required to use their utmost endeavours to protect the Northern Metropolitan during his progress through the province of the Southern Primate, exactly in the manner stated by the Lord Chancellor in his exculpation, and almost in the words employed by him: and of which the repeated examples found upon the rolls, are familiar,

or at least ought to be so, to every one who has investigated our ancient Parliamentary history.

In the present instance, until the Archbishop's arrival in the immediate neighbourhood of London, the journey had been effected with singular tranquillity and comfort. At Barnet, however, the first exception occurred. In that comfortable town, a brace of wicked urchins contrived to tack a fox's brush to the robe of the Archbishop's Apparitor, but which was immediately removed by John Boulter, the miller. Not that the man of meal had any sympathy with the clergy, but he was rather afraid of the joke. He recollected that an indignity, thus offered to the followers of Thomas à Becket, had occasioned the permanent addition of similar appendages to the inhabitants of Folkstone and their descendants: occasioning a caudate variety of the human species, as yet undescribed by physiologists. And John Boulter, though he said he did not quite believe the whole of the story, was yet under some apprehension lest the ornament should be in like manner entailed upon the men of Barnet in perpetuity.

When the Archbishop arrived at the High-gate, more decided symptoms of opposition appeared.

The Bar was closed: a very numerous body of the tenants of the Bishop of London were drawn up in battle-array for the purpose of defending the pass. They were headed by the Steward of the Manor, who loudly exclaimed that the road passed through the land of the Bishop: it was a private way: it had been opened by the Bishop's license, and the permission thus granted to the public could be resumed at his will; all honest folk were welcome to its use, but my Lord Bishop would never suffer his ground to be trodden by an intruder to the prejudice of his revered Metropolitan.

Vainly the Yorkers urged that it was not a private way, but the King's highway, and that such an obstruction was in direct contravention of the common and statute law from the days of King Mulmutius. The Seneschal traversed the fact, while the battalions of armed villains continued at the same time stationed athwart the road: and the Archbishop of York and his train had no choice but to retire, and proceed as they best might, by tramping over the fields, taking a route which conducted them through Haringey or Hornsey Park. Here they were so undoubtedly trespassers upon the soil of the

Bishop of London—to whom the estate yet belongs—that it would have been an unpardonable act of treachery on the part of the faithful subjects of the Archbishop of Canterbury, had they neglected displaying their zeal and attachment by giving every possible annoyance to his enemy.—The news of the Yorkist invasion quickly spread through every part of the domain. Horns sounded, dogs barked, stones and clods were hurled at the Archbishop from every thicket. The slow and steady pace of the Archiepiscopal train was rapidly changed from an amble to a trot, and from a trot to a gallop. Their persecutors, the host of Canterbury, now burst forth with hue and cry, and fairly chased the Primate of England through the Episcopal Park. Yet little injury was sustained; for the huntsmen, perceiving the Lord Mayor and the Sheriffs advancing at the head of the City forces, immediately turned back, leaving the Archbishop under the kind protection of the municipal magistrates.

Once in the city liberties, the partisans of Canterbury, though all at their posts, were prevented by fear of the law, from any act of bodily

violence, but the feelings displayed by them were such as to render the parliamentary duties of the much persecuted Prelate of York, no very agreeable task. Loud groans saluted him as he passed beneath the windows of London House, in Aldersgate Street: the bells of all the "thirteen peculiars,"—the parishes which belong to the diocese of Canterbury,—rang a muffled peal; and, when the Archbishop passed by the portal of Bow Church, who should stand there in full robes but the Judge of the Consistory Court, and the Dean of the Arches,—Arcades ambo,—sonorously trolling, in alternate verses, a ribald roundelay against him: and all the little choristers joining in the burden of the song. Kept in check by the municipal authorities, the partisans of Canterbury, who could not do more within the City, employed their musical staves as a demonstration; but they had fully determined to use stick, stock, and staff, as soon as the Yorkers could be hit without the walls. Canterbury, therefore, held a full council of war at the house of Everard Pleynchaunt, the Minor Canon: where it was finally determined to intercept York on his

way to the Parliament on the following morning; and, the plan being adopted, such consequences ensued as have been detailed.

The King and the Temporal Lords, after earnest entreaty, induced the Archbishops to take their seats. Parliamentary business had, however, been entirely interrupted by these commotions. The Chancellor, wiping his face, found it impossible to restore order: and the unusual lateness of the hour, it being near ten in the forenoon:—the increasing appetite of the members:—the distinct view of the fires in the kitchen in the adjoining quadrangle; before whose blaze, joints and animals of all sorts and sizes, pigs and sheep, chines and shoulders, legs and sirloins, hens, ducks, geese, mallards, and turnspits, could be seen equally roasting;—scullions busily employed in basting the meat—cooks busily employed in basting the scullions,—all suggested the propriety of an adjournment till the following day. Not a voice was raised against this motion. The quarrel between the two Archbishops, however, had excited great anxiety; their mutual friends were very seriously alarmed; and therefore, before they left the Parliament Chamber, the Chancellor,

acting in the capacity of Speaker, compelled the Prelates, after considerable hesitation on both sides, to promise, that "the matter should not be carried any further," a prohibition, which, in those bonâ fide fighting days, was obeyed as unwillingly, as a permission on the part of the House, that "the matter *should* be carried further"—would be accepted in ours.

The principle, however, out of which the dispute arose, gradually assisted in effecting a great change in the Parliamentary constitution. The theory of Parliament, as established in the fourteenth century, required a full representation of the Clergy, upon a scheme similar to that which had been adopted for the Laity. Each Cathedral Chapter was required to send one Procurator; and the Clergy of each Diocese two, empowered to consent on their behalf, nearly upon the plan of the Members returned for the Boroughs and the Shires.

The inferior Clergy thus became an unquestionable branch, or House of Parliament: and the "Premunientes clause," as it is termed, by virtue of which they sat, is continued in the Parliamentary writs to this very day. But the attendance of the clergy in Parliament, unwillingly given, never was

established for the entire kingdom. The King might call,—but the Clergy, excepting such as held in Barony, held that they were not bound to come out of their own province. Insisting more and more upon their rights, they kept away from the laity, became a Convocation, and ceased to be a branch of the Legislature. Acting thus, they severed themselves from Parliament, and were left without any spokesmen or advocates in that assembly, excepting the Bishops, who, in strictness, sit only by reason of the Baronies which they still hold of the Crown; and for which, when consecrated, they perform homage in the closet of the Sovereign.

Whether the presence of so many ecclesiastical members would, on the whole, have been advantageous to the clerical character of particular individuals, may be a question requiring consideration; but it is clear that, by the loss of their ancient privilege, their power has been exceedingly diminished, to the incalculable detriment of the order in its corporate capacity. Those who declaim the loudest against ecclesiastical authority, ought to recollect that, in all ages, the clergy have never by their own strength been able to defend their civil rights, when the Laity have been determined to

pillage or despoil them. Preserved, and they will be preserved, their very existence is a tribute which the powers of this world are compelled, however unwillingly, to render to an authority beyond the world's control.

Chapter V.

THE FRIAR'S STUDY.

"I am a toad in a hole,"—quoth the Monk of Croyland.—There are two kinds of toads in a hole, those so designated in figurative, allegorical, or poetical language, and those who are really what the term implies.

The figurative, the allegorical, the poetical "toad in a hole,"—a dish well known to my East-Anglian readers, is the most savoury of the

. . . . . messes,
Which neat-handed Phillis dresses.

It consisteth of a baked viand, surrounded by alliaceous roots, concealed beneath an adipofarinaceous covering, and representing, not unaptly, the batrachian reptile, from whence it derives its name. I am using very fine language, which I do not quite know how to apply or spell, but that is not my fault, for ——, I won't say who,—objects to the whole of this passage as vulgar; and I am therefore trying to make it elegant by the help of hard words. But, at all events, I think that

you, Reader, will be able to make out the nature of the allegorical "toad in a hole," which affords so many a comfortable dinner to the Norfolk and Suffolk Yeomen, and occasionally to those in a higher degree.

So much for the allegorical "toad in a hole,"—the real toad in a hole is such a one as the Monk of Croyland, the original author of this book, or his humble editor, I.

Throughout the mediæval period, the abuses prevailing amongst the members of the Hierarchy, call forth severe and unsparing remarks from the Chroniclers. Incidents like those detailed in the last chapter, might suggest some salutary reprehensions, and the Monk of Croyland declares that they were by no means absent from his mind: but he was greatly restrained by a strong and honest feeling of his own insignificance. Actuated, therefore, by all the blushing pudency of the Member who opens his maiden speech, with the corrected slips of the report of said speech—duly colophonized, "The honourable Member sat down amidst loud and repeated cheers"—in his pocket all the while; he begins, "I am a toad in a hole," —and, confessing his entire incompetence for the

task, he proceeds to unravel all the contemporary delinquences of the Episcopal Bench. If people's faces burn when they are written of, in the same manner as they do when they are spoken of, I am sure poor Cardinal Beaufort's cheeks must have been in a perfect blaze.

I, who am also a real toad in a hole, and not an allegorical one, have no right to express any opinions upon such a momentous question as that of ecclesiastical reform. Were I merely to translate literally what the Monk of Croyland has said concerning Cardinal Beaufort, I am morally certain that my text would be wrested and perverted into an open expression of opinion respecting similar subjects at the present day. Or, what would be more dangerous to me, as containing cleverly concealed allusions to them, just as my good friends Whistlecrafts' inimitable narrative of the adventures of Queen Genevra's maids of honour in the Castle of Giants, was construed into a very awkward disclosure respecting Carlton House and the Royal Pavilion. I will therefore expunge the Monk's commentary, which might thus expose me to suspicion, and insert in place thereof, a topogra-

phical anecdote, which, at all events, may be of use to future collectors in that line. It was communicated to me in substance by the eldest of the nine children,—a fine lad, fifteen years old,—of the under-Beadle of "St. Dunstan's in the West."—It is his first attempt at authorship. The young man begun by sending his composition to the Penny Magazine, and they refused it. Next he tried the Saturday, and they also returned the article upon his hands. Cruel is such treatment, disregardful of the claims of intellect, and repressive of rising genius. I do not cast the slightest blame upon the respectable editors of these respectable periodicals. I am fully aware that they act under the control of the Boards of their respective Societies, and that they could not do otherwise. But all Boards deal harshly, and are proverbially hard, and without feeling. I know what they are. I sympathise heartily with the young Beadle, and—*miseris succurrere disco*—have, therefore, determined to bring his productions in print before the literary world.

"*Die Veneris*," June 12, in the year 1795.—"Mr. Speaker put the question, 'That this Bill do

pass.' *Mr. Lechmere*"—the italics are those of faithful Woodfall—vol. iv., p. 44—"rose to state "his objections; he thought it a bad Bill, and "one that the House should reject, as, for a mere "chimerical improvement, it engendered real and "substantial evil. This (he said) was an age "of chimera, of doubtful improvements, and "dangerous innovations, he therefore warned the "House against lending too credulous an ear to "plans of this sort."—What, will it be asked, are the improvements thus denounced, what are the chimerical schemes and innovations thus declared to be equally injurious and impracticable? Had *Mr. Lechmere* a vision of Catholic apprenticeship, or negro emancipation.—Of the iniquity of permitting the defence of the criminal by counsel, and diminishing the perquisites of the "finisher of the laws."—Of throwing open all close corporations, and closing all debtors' gaols.—Of a country supported by joint-stock Banks, cut up by joint-stock Railroads, and cut down by joint-stock Cemeteries, in which even Banquo's ghost would glare with speculation in his eyes.—A whole nation surrendered unconditionally—purse, person, body and soul—to the legions of legions of "improvers"

and "innovators," all uniting in the "grand chorus" of

> Fee faw fum,
> I smell the blood of an Englishman,
> Be he alive, or be he dead,
> I grind his bones to make me bread.

No, it was none of these, and if I were to give you an hundred guesses, as children use, I am sure you would never divine the occasion. It was in the course of the debate upon the third reading of the Bill, entitled "An Act for widening and improving "the entrance into the City of London, near Temple "Bar, 35 Geo. III., cap. 126," the preamble setting forth as the reason or inducement for the enactment, that such entrance was "too narrow and "incommodious for the passing and repassing as "well of foot passengers, as of coaches, carts, and "other carriages, to the great interruption of busi-"ness, and to the prejudice and inconvenience of "the owners and inhabitants of houses in and near "the same;"—which preamble, however, was not admitted by the inhabitants, upon whose request *Mr. Lechmere* strenuously, but fruitlessly, opposed the Bill.

Time is flowing so rapidly, that the aspect of

that portion of the old Strand, which in the Bill is denominated the "entrance into the City of London," begins to be a recollection of the past generation. First, as to its inconvenience. It must be acknowledged, that coaches, carts, and other carriages were oftentimes hitched, stopped, and entangled together in such a manner as to occasion no small consumption of bad language amongst the drivers, and loss of patience to the passengers therein; and that if to those had been added the more modern vehicular modes of intermetropolitan communication, whose monosyllabic and trisyllabic names are unnameable in serious and solemn compositions like the present,—great sacrifices must be made to preserve the dignity of the historic muse,—the obstructions would have become more frequent.—Then, as to the look of the place. Imagine a narrow defile, composed of those old timber houses, which in almost every other district of the metropolis were destroyed by the fire of London. Black, massy, and uncouth, the overhanging stories darkened the narrow way. As a child, I have often amused myself by admiring the wreaths and grotesque supporters and armorial bearings,—one

of these dwellings, ornamented with fleurs de lys, was traditionally supposed to have been tenanted by a French ambassador,—worked in their walls.

Venerable were they of their kind—but I must not deplore the loss of these monuments of the civilization of the sixteenth century, nor will I ask whether they might not have been preserved: and for this plain reason,—there would be no use in the inquiry: they are gone: they are pulled clean down, and a wide new street is erected upon the site which they occupied. As everybody knows, the traffic and thoroughfare continually increased: and more recently many of the parishioners began to fancy that the old church of St. Dunstan's in the West was not only a present obstruction, but a great obstacle to future improvements,—it ought —said they—to be removed.

The building afforded in its architectural aspect a species of compendium, if I may so express myself, of our ecclesiastical history. Built in the era of Catholicity, and intended for the ample ritual of the middle ages, it had been repaired and pewed in the reign of Elizabeth for the purpose of suiting it to the reformed worship; and by this arrangement, some space was lost. According to the ori-

ginal plan, the edifice was adapted for the celebration of Mass, and for the purpose of enabling the worshippers to see the Priest officiating at the altar through the prolonged aisles: and not with the intent of concentrating the congregation around the reading-desk and pulpit, and listening to the Sermon, as required by the Book of Common Prayer. A memorandum in the parish chest shows that the celebrated Nowell, then Archdeacon of Middlesex, under whose direction the alterations were made, was not unaware that the accommodation might have been rendered more extensive, but he preferred this inconvenience to the danger which might have been incurred of bringing down the whole edifice, by imprudently cutting away the main pillars in order to gain a little more room. The idolatrous imagery had been all removed. It was right to do so; but the niches and canopies which were allowed to remain, added somewhat, as the parish attorney said,—though the surveyor denied it,—to the expenses of the repairs, without affording any real ornament, their use being wholly lost. The principal feature, however, of Saint Dunstan's church consisted in the two black men on the outside,—who professed to strike the hour

upon the bells,—but whose complicated organization slightly incumbered the machinery: so that the clock always went rather too slow; and the two black men themselves, when they had to do their duty, always took their time about it. Slowly and deliberately did they lift up their clubs before they struck a stroke, as if they were holding a consultation upon the matter: and when they had come to a mature decision, slowly and deliberately did they strike the bells, but gently, and as if they were afraid to make too much noise. Thus performing their service, the sun usually got beyond the meridian ere they had began to declare the hour of noon: and even out of one o'clock itself they contrived to make a long story.

Now, as I have already stated to you, the sight of the improvements, just on the other side of Temple Bar, suddenly excited amongst a portion of the parishioners a strong wish to enlarge their end of Fleet Street, by removing the church likewise. They maintained that it encroached upon the roadway required for the highly respectable banking-house and other places of business on the other side. Above all, they constantly urged that keeping up the old building, with its establishment

of the two useless black men on the outside, was so exceedingly expensive—such a charge upon the rates—that the burden could no longer be borne.

With respect to the chancel of the building, nay, even the steeple, there was much difference of opinion amongst the demolishing party: many in their hearts would have regretted exceedingly, had they been pulled down. But about the two black men on the outside there was no diversity of sentiment amongst the Demolishers: they were resolved to get rid of them.—Consistency, conscience, reason, humanity, they maintained, all supported them in this determination. The Secretary of the Mechanics' Institution had proved by algebra, that if the expense of the two black men on the outside cost as much as the keep of twenty labouring men and their families, twenty labouring men and their families might be maintained out of the keep of the two black men; and this argument was felt to be irrefragable.

The more the question relating to the two black men on the outside was debated, the greater did their importance appear. Bishop, Parson, and Clerk, were comparatively forgotten. So long as the two black men on the outside kept their places,

their opponents maintained no good could ever be done. Everything that went wrong, high or low, was attributed to the expense of their keep or to their influence. If a grave was not properly bricked by the sexton, his default was imputed to the baleful sluggishness of the two black men on the outside. When the weathercock, as the Demolitionists termed it, on the very top of the steeple did not turn and veer about so quickly as they wished, with every change of the wind, they maintained that it had become rusty and useless through the obstinacy of the two black men. This the Demolitionists continued vehemently to assert, although it was quite certain that the weathercock, as they called it, instead of being a thing made to be carried about by every wind, was no weathercock, but a cross, firmly fixed upon its basis: never intended to deviate out of the direction in which it had been originally placed. Yet although this fact was fully ascertained, the two black men on the outside continued to bear the same blame as before.

Whilst such was the conduct of the Demolitionists, there was, on the other hand, a strong party in the Parish, the Total-sustainers, who

mutually pledged themselves to keep the whole old church, as well as the two black men on the outside, exactly in *statu quo*, without the slightest alteration. Right or wrong, nothing shall be mended, nothing shall be changed; we will not substitute a tile for a slate, or a slate for a tile. They certainly proved that the black men on the outside, being a part of the works of the old clock, did not cost the present generation a single farthing: and that if, in the course of the week, the clock did lose a few moments, it was a matter of no earthly consequence; for there was a sun-dial on the wall, by which the clock was constantly regulated, so that on Sunday morning all came right again.

The Total-sustainers showed convincingly that the two black men on the outside had been treated unfairly. But all impartial people likewise admitted that whilst it was clear that the two black men on the outside did no harm, it was equally clear they were of no positive use. They were thought ornamental when they were first put up, but now the public taste had changed. Such a concession, however, would not by any means satisfy the Total-sustainers. Just like the Demolitionists, they also

worked themselves up to the most unreasonable reasoning; and they went the full length of asserting that neither Bishop, Parson, nor Clerk could perform their duty unless with the assistance of the two black men on the outside.—Over shoes, over boots; in for a penny, in for a pound, said the Total-sustainers.—If we cannot save our two black man on the outside, Bishop, Parson, and Clerk may e'en shift for themselves: let the church be pulled down. There is an old proverb, that it is not a wise thing to cut off your nose in order to be revenged on your face; but when was that sage aphorism ever recollected by any ultra-political party?

My information does not extend to what took place in the vestry; but a sufficient external demonstration was soon made. Some vote for the demolition of the church had prevailed. Smash, went the windows:—dash, went the beams:—pash, went the ceiling:—crash, went the parapet:—jumble rumble crumble tumble, went the walls. It appeared as if the Destructives had triumphed. But such was not by any means the case. There was a third party in the parish who kept themselves exceedingly quiet, who, following the lead

of the Patron and the Rector, and obtaining a predominance in the vestry, had snugly made all the arrangements needful for rebuilding the church, and in great measure with the old materials, upon the original ground.

Whilst the external ruins looked the picture of desolation, the renovated structure was regularly, aye and rapidly rising within. And on the self-same day when the two black men, now entirely whitened by the dust, were taken down from the outside, the new front was completed, adorned with the effigies of Cranmer and Latimer. The steeple, though not quite so lofty as the former tower, is still very much elevated above all adjoining buildings, and is in the true old English decorated style, with a very adequate proportion of rich ornaments, being copied, almost without variation, from an admired ancient prototype. The pulpit is placed so as to be as nearly as possible equidistant from all the sides of the building: whereas, in the old church, many of the parishioners complained that it was so far off from their seats, that they could not hear. And the whole edifice is better warmed, more regularly

pewed, and, some say, even better lighted than that which it has replaced.

Indeed, many architectural virtuosi who have visited new St. Dunstan's assert, that it is almost a misnomer to call the church a modern building, it being exactly such a one as Archdeacon Nowell —afterwards Dean Nowell,—who, as before mentioned, superintended the fitting-up of old St. Dunstan's in the reign of Elizabeth, would have planned, for the convenient reception of a congregation, had he lived in the present age.

A few old scot and lot inhabitants are yet left in the parish, men who recollect Lord George Gordon's riots, drink toasts and sentiments, and can tell about the siege of Gibraltar and the American war. These old folks say, when they are by themselves, that if the question of demolition had never been agitated in the parish, the parish could have gone on quite as well without any alteration in the old structure. But since there were disputes—and let the responsibility fall upon those who raised them—even the Under Beadle is compelled to admit that the best course, under existing circumstances, has been

pursued. The Demolitionists have sustained a complete defeat, and the Church is preserved. Should any of the parishioners now absent themselves, they cannot allege that they are affronted by the two black men on the outside, or turned away for want of proper accommodation within. There is no part of the interior where the voice of their exemplary Minister is not distinctly audible. If they carp and quarrel, it is their own fault. They are self-convicted of contumacy if they neglect their attendance. It is their own seeking if they are now dissatisfied.

Our history is silent respecting the employment of the Friar and Marco during the remainder of the day. The Monk of Croyland only informs us that, quitting the Hall towards the evening, they entered the great Quadrangle, and found Gerard Vantbrace, the Porter, in a state of extreme plague and perplexity. Engaged in a most active warfare,—perpetually recurring, always beginning, never ending, offensive and defensive—against the host of urchins, who, in busy idleness, were disporting in New Palace Yard, the worthy Janitor seemed almost at his wits' end, a point which the best of us may reach with wonderful expedi-

tion. But in what state and condition was our friend Vantbrace?—How shall I describe it?—We are indeed a happy, elegant, moral, and transcendent people. We have no masters; they are all principals:—no shopmen; they are all assistants:—no shops; they are all establishments:—no jailors; they are all governors. Nobody is flogged in Bridewell; he merely receives the correction of the house:—nobody is ever unable to pay his debts; he is only unable to meet his engagements:—nobody is angry; he is only excited:—nobody is cross; he is only nervous:—and lastly, nobody is drunk;—the very utmost you can assert is, that, as was the case with Gerard Vantbrace, "he has taken his wine."

It is impossible to anticipate what improvement may ultimately be effected, in the manners and morals of the people, by the diffusion of Political Economy. But hitherto, amongst English folks, Malthusian prudence has never produced sufficient effects in preventing production. Abstract speculations don't suit us. People do not take practically to such metaphysical studies, nor can they readily ascend from the abolition of the rights of primogeniture, to the abolition of primogeniture

itself.—Assuredly, in spite of the small-pox, the chicken-pox, the measles, the chin-cough, the whooping-cough, we have always, in England, had too many children. When John Baliol burnt two hundred poor little school-boys in one bonfire, this useful—though unfortunately temporary—check to redundant population, is a sufficient proof of the mischievous extent to which their numbers had attained at Corbridge, though even at present, that town, according to the last return, only contains about two thousand inhabitants; and I have not any doubt—from what I find in my story—that, due consideration being had to its proportionate extent, Westminster, in the early part of the fourteenth century, swarmed with the minor unwashed, in every lane and alley, just as it does at the present day.

New Palace Yard, the structure of William Rufus, which, being new in his time, by comparison with the structure erected by the Confessor, has acquired a most enduring juvenility, was the spot which this portion of King Edward's subjects considered as their most favourite resort. Here they were playing at pitch and toss: there they employed themselves in throwing the bar:

others were kicking the football, and eke their shins. Grievously did these games interfere with the tranquillity of the passers-by, who, in addition to all contingent mischances, were,—if their appearance betokened a sufficient expectation of non-resistance, or, resisting, of non-effectual resentment,—frequently despoiled of hoods, coifs, caps, and kerchiefs. Miniver and satin inspired as little respect as serge and ray; and the favourite practical joke among the noisy cohort was to twitch off these useful coverings, and to deposit them in the nearest puddle, of which there were generally abundance, even in the driest weather.

Such gambols, it is true, stood strictly forbidden by a Royal proclamation: and a reminiscence of this ancient inhibition appears at the beginning of the Sessions in a Vote of the Lords, commanding the High Constable to prevent all disorders in the neighbourhood tending to the annoyance of the Members, as well as all gaming in the passages leading to the House; and which most of my readers may have seen affixed in various parts of Westminster. Gerard Vantbrace was held particularly responsible for the due execution of this very proper regulation: but, to

preserve decorum out of the walls of Parliament, was then as difficult as it is at present, to compel the observance of the rules enjoined by decency and good-breeding within. Consequently, the Porter had almost as hard work, and nearly as ungrateful a task, in enforcing due order, as the Speaker has now.

Quite beyond the mental or physical powers of sturdy Gerard Vantbrace, conditioned as before described, was the preservation of tranquillity. Had Gerard's broad shoulders been hung with as many arms as a Hindoo idol, they would scarce have sufficed to bestow an adequate thrashing, even upon an anthology of the most deserving amongst the urchin crowd: yet Gerard did his best, to give them the benefits resulting from this essential, though now neglected, element of national education.—Dire and exemplary castigation by fist and foot had been just inflicted with so much impartiality upon the zenith and nadir of an impish offender, that neither extremity had any reason to envy the other: both received equal justice; and the sufferer fled howling and blubbering from the grasp of his assailant. But this summary punishment had not, in the slightest degree, deterred the

rest of the cohort; who, it being twilight grey, adopted the entertainment of tossing about burning wisps of straw, in addition to such other recreations as could yet be pursued.

Gerard Vantbrace, though very marvellously irate and very unsteady on his legs, was nevertheless in a mellow state of conversability. When Bacon had drawn near, the Porter made up to the Friar, and plucking him by the sleeve, began to detail all the persecutions which he sustained. "In Parliament time," — said Gerard, — "no honest man can enjoy a mouthful in quiet. Parliament brings all the 'rascaille' of the country to the King's very doors;"—and let it be here annotated, that this same term of rascality is real authentic mediæval Parliament language, and that the number and membrane of the roll can be quoted in which it occurs.—"I would that good Judge Hengham, whose money made that bell-tower arise, could be called upon to do such duty upon them as is suggested by his name."

During this discourse, the fugitive before-mentioned, who had ensconced himself in the dark angle of a projecting buttress, stole slily out of his hiding-place: and, creeping gently behind Vant-

brace, affixed a string composed of a dozen or more small cases or packets to the skirts of the Porter's doubtlet. Bacon, who saw the operation, was about to give warning, but before he could speak a word, the squibs and crackers, for such they really were, went off in full whizz, flash, and bounce. Away darted Vantbrace himself, as if he had been launched from a catapult, in vain attempt to capture his ruthless enemy. And Bacon and Marco Polo, thus released from their detainer, pursued their homeward path.

The display of pyrotechny was, however, still continued, and a rocket rushing upwards before them in a quivering stream of sparks, burst: and illuminated the atmosphere on high by the transient gleams of its explosion.—"A device of the Saracens,"—quoth Marco,—"but in which they themselves are only imitators from my friends in Cathay. Exceedingly well known to them, is the art of fireworks. Upwards of a thousand artificers in the army of the Tartar Khan, were employed upon such weapons, tending much to the alarm, though little to the hurt, of the enemies against whom he was opposed. Children now outrun philosophers: the sage meditating in his cell, im-

parts to us as a precious and recondite experiment the sport of the boy. Doth Friar Ferrarius belong to your order?"—continued Marco,—"he, who like yourself, hath addressed the Pope on the secrets of chemical science. With great pains, Ferrarius hath rendered into Latin, the proportions of the composition; how the salt, the live sulphur, and the coal, must be finely triturated upon the hard porphyry stone; how the match is to be applied; and with what subtlety the parchment cases are to be folded, containing the powder which propels these flying thunders or flying dragons, as by some they are called."

Bacon stopt, took out his tablets, and Marco Polo, who looked over his shoulder, saw him writing down a note, possibly the origin of the purposely obscure paragraphs upon this subject, now found in his folio, though Ferrarius is therein unnamed. Bacon is much less explicit in his details than the Spaniard: and upon a careful comparison of their two works, it becomes evident that they wrote upon totally different principles, the Spaniard as a mere collector of recipes, the Englishman in the spirit of a philosophical inquirer, strangely affected by the peculiar mysti-

cism of his age; but who had obtained the knowledge of the process of *granulation*—so simple, and yet so concealed from his contemporaries—and by which the commixture of ingredients alone obtained its mischievous perfection. Yet the mere pyrotechnic receipt must have become generally known; and the mode of compounding the "pulvis ad faciendum *le orak*," as it was uncouthly and barbarously termed, passed from collector to collector, until it again reached the one inventor through whom it was destined that the manipulation should be again discovered, and gunpowder applied to the destructive art of modern war.

Bacon made his memorandum, closed his book, pressed his thin lips together, knitted his brows, and the companions continued their walk in silence. Marco, merely for the purpose of rousing the Friar from this not unusual fit of taciturnity, said,—"Astronomers calculate the diameter of the seventh heaven at one hundred and thirty million, seven hundred and fifteen thousand miles; think ye they are correct in their reckoning?"—Not a word did Bacon reply. Merchant and Friar walked on in leaden silence.

Marco got his figures, as I suppose, from the Almagest. We who have checked them, know that they are wrong,—*nous avous changé tout cela.* All the civilised world is now on our side. Pope Pius VII. certainly showed great kindness to us heretics, he acted much like a gentleman, and behaved very handsomely, when in 1818 he came into the Consistory and repealed the edicts against Galileo and the Copernican system. Before that surrender of ancient dogmas, though the Heliocentric system was taught in all Popish Universities, excepting Salamanca, it was always required of the Professors, in deference to the decrees of the Church, to use the term *Hypothesis*, instead of *Theory*. Salamanca, however, stood out, and the Professor of Astronomy would have resigned his chair rather than agree to the change.

Professor Cabezudo was lately here, and as I thought it was a sad thing that any member of "the great European family" should exhibit such woful ignorance, I did all I could—it is not much to be sure—to enlighten him. But all my efforts were in vain. I attended a whole course of lectures, and went to the expense of buying a complete set of the little red pocket Encyclopedia,

and tried to confute Cabezudo out of it; yet I always got the worst of the argument. Often was I so puzzled, that I began to think that they treated the Undergraduate of St. John's very unfairly when they plucked him at the examination, for having answered the question, "whether the earth moved round the sun or the sun round the earth," by saying, "Sometimes the one and sometimes the other."

The way in which Don Eusebio Cabezudo argues is this:—You are a Heretic, and as a Heretic you must admit that the Pope is not infallible, and unless he can convince me by reason, that his creed is true, I am not bound to adopt it at all. Your modern heretical philosophy is completely grounded upon observation and experiment. You ultimately resolve all exact science into the perceptions of sense, so much so, that if your physical evidence appears to contradict what you philosophers term the "preconceived notions of theology," the latter are without any hesitation to be abandoned as the slavery-brand of the human mind. Yet, how are you philosophers treating me. You tyrannically demand my unqualified assent to propositions entirely opposed to obser-

vation and experiment. All the evidence which I obtain from my senses entirely contradicts this new philosophical belief. All my perceptions are opposed to it. I feel the earth to be immovable,—I see the sun and stars in motion, and the ball dropt from the summit of the tower, falls straight to the base instead of being left behind. Yet more. You teach me that the philosopher "can always be satisfied that he has dis-"covered a real law of nature when we can show "by strict argument or mathematical reasoning," that "the facts must follow from it as necessary "logical consequences, and this, not vaguely and "generally, but with all possible precision in time, "place, weight, and measure."—Now how stand these facts? Ptolemy places the earth in the centre, and refers all the motions of the planets to the earth alone altogether independent of the sun. And upon this assumption, allowing only for the inaccuracies and deficiencies occasioned by the imperfections of his instruments,—for could he have seen them, his theory would have been extended to the satellites of Uranus,—he was able to account for all the features of the motions of the planets, as logically and as precisely as you do who cause them to revolve

round the sun. In the theory of Ptolemy, the testimony of our senses, and the hypothetical law, a true law according to your own logical standard, agree. The most staunch and most able of your Copernican Heretics candidly admits, that, considered in its true import as a system of calculation for explaining the apparent motions of the Planets, our Ptolemaic system, now so glibly derided on account of its complexity of cycles and epicycles, "is not only good, but that in many cases no "better has been discovered;" and that "an "unquestionable evidence of its merit and value "is to be found in this circumstance, that it was "able to take in and preserve all the exact know-"ledge of the world, until a new theory arose."

Therefore, said Don Eusebio, what certainty have we that a further advance in "exact knowledge" may not even bring you Heretics back again to Ptolemy and the Almagest, and what should I gain in real knowledge by the exchange?—If you Philosophers will compel belief in defiance to our senses, and upon postulates which, according to your own showing, afford no test of truth, why do you accuse us of intolerant bigotry? If you submit cheerfully to this yoke yourselves, why do

you tax us with servility of intellect in obeying implicitly that which the Church has taught?—As for me, I will not sell my dear-bought liberty to such hard task-masters.—Science makes infinitely heavier demands upon faith than religion ever does, and without promising the same reward.

Yet, in spite of all Don Eusebio Cabezudo can say, inestimable are the obligations which we owe to the investigations of modern astronomers. We learn, for example, that the "greatest eccentricity of Jupiter" is confined within definite limits. Now, nobody could have ever guessed this fact from that admirable record of Jupiter's acts and deeds, Lempriere's Dictionary. Were we to reason upon Jupiter's character, therein so carefully illustrated in *usum studiosæ juventutis*, we might suppose that he was capable of indulging in any possible or impossible eccentricity, excepting, perhaps, that of becoming a decent and respectable husband. But amongst all these discoveries, I value the proof which scientific astronomy affords, that there are no men in the moon,—or at all events, that they are not locomotive. For if men in the moon had such a venous and arterial circulation, adapted to the lunar and

terrestrial gravitation beneath their feet, as would enable them to live on the off-side of the satellite, the increased attraction above them, if they travelled to their antipodes on our side, would occasion so great a pressure of blood on their brains that they would die of apoplexy.

So much for men in the moon.—But Marco thought, that perhaps, the *Man* in the moon, might engage Bacon to open his mouth, and pointing to the orb, he said to Bacon,—"How strange are the freaks which fancy plays to us: the same varieties of light and shade which our vulgar configurate into the churl with the bunch of thorns on his back, are considered in Cathay as being very like a rabbit pounding rice in a mortar."—This observation might have been a tempting challenge for discussion at other times, but it utterly failed to produce any effect: and Bacon, absorbed in thought, continued silent as before.

They were now in sight of the New Temple. Red and misty rays, shed by the lamps within, streamed through the upper windows of the round church, whose structure still remains to excite rather than to satisfy, the curiosity of the architectural antiquary.

"I apprehend,"—resumed Marco,—"that the knights are holding their nocturnal chapter,—I had almost said their orgies. Strange things are told of them in Palestine. It is commonly supposed that the Templars are devoted to the foul Fiend, and that when they break up after their meeting, one of the Masters of the Bench is always, some how or another, missed out of the number."

"H'm,"—replied Friar Bacon, in a manner which indicated that he did not care to hear a word of what Marco had said: and, with that same semi-vocal "H'm," although Marco Polo kept continually, but fruitlessly, provoking him to conversation, their discourse for the evening was inexorably concluded.

During the following day, Marco Polo could not get any talk with Bacon, though, as I have told you before,—at least if I did not I ought to have done so—you must hold me excused for my negligence, Homer himself nods sometimes, and so do I—they were lodged at the great Franciscan monastery in Newgate Street, now the Blue Coat School, or Christ's Hospital. Bacon occupied a cell in the cloister, while Marco was accommo-

dated with a comfortable apartment in the *Hospitium*, the portion of the building reserved for those secular visitors whom the Friars most kindly and readily received.

Bacon kept himself in utter seclusion, neither coming into church or refectory. But, towards evening, a lay brother, who seemed less than his companion, and more than his servant, a hybrid between a chum and a scout, one John Bungay, asked the butler of the house to tell him the nearest way to Lothbury.

"Lothbury—that is where the braziers carry on their noisy trade;—ran, dan, randaridan: tink of a kettle, tank of a pan: ran, dan, randaridan,"—quoth he,—"what doth your master wish to handsel?"—"Can you keep a secret, master Butler?"—said Bungay.—"Aye, marry,"—replied the Butler. "And so can I,"—quoth Bungay; and thus he departed on his master's errand, without giving hint or inkling of his purpose, or intentions, or any token of his master's employments.

Bacon's cell continued hermetically sealed during the remainder of the week, except that he was once seen at an upper window. What he was doing, has never been precisely ascertained. One of the Friars

said that Bacon was taking the altitude of the steeple by means of a Jacob's staff. Another maintained that the instrument looked rather like a pillar of metal directed at the summit of the building. A third affirmed that a huge mortar had been privately brought into the convent from Lothbury at night, upon a truck; but it must be acknowledged, that no real account of his proceedings could be obtained.

Marco Polo generally supped in his own room. He had much to do in keeping his accounts, and he speedily dispatched his sober and solitary meal: but, on that evening, he was over-persuaded, contrary to his usual custom, to take his refection with the Prior. This worthy Principal was urgent in his recommendations of some malt liquor, sent to him out of the cellar of his own Hall at Cambridge, so that Marco was induced to partake more freely of the blood of Sir John Barleycorn than ever he had done before. "Other guess stuff this than your Tartar koumis, Signor Marco,"—said the Prior, as the stoup was in its fifteenth gyration. "We have a proverb in England, that good ale is meat, drink, and clothing." —"And heaviness in the head, and lightness in

the heels,"—added Marco, who, unaccustomed to such potations, found his way, with some difficulty, to his chamber, anticipating an unquiet couch and disturbed slumbers. These pleasant expectations were fully realized: and he submitted to all the usual penalties incurred by the misdeed of a good supper, and protracted jovial cheer. Horror succeeds to horror.—He falls down, down, down, down an unfathomable depth, and then he suddenly hitches into his bed again.—Then he feels as if all his limbs had swollen to the size of woolsacks.—Then he is engaged in a dreadful struggle. Wandering in the tropical forest: he strives with all his might to escape from a Batta,—the hungry epicure pursues his prey with a sharp knife in one hand, and half a lemon and a pepper-pod, for seasoning, in the other, the gaping mouth of the visionary savage being garnished with a double row of white and black teeth, opening beyond the lobe of either ear; but in the vain attempt which the groaner makes to flee, his feet adhere immoveably to the ground.—Then he is transported to Stromboli. Huge invisible paws keep the feverish sleeper prostrate

upon the burning ashes; the mountain grumbles and roars again and again.—An awful explosion takes place, and Marco awakes with a start.

Marco, thoroughly roused, stared about his room with amaze. The impression of the noise was so strong, so lively, so much like reality, that he could hardly convince himself that it was only a dream. He was quite unable to compose himself to rest again, and he continued turning and tossing till the matin-bell began to ring.

When the Merchant came down, there was an unusual bustle in the Cloister: and, approaching nearer to the spot, Marco found a bevy of Friars and other inmates of the Convent, gathered opposite to Bacon's cell. Truly awful was the scene which here presented itself to the beholders;—door, wide open;—casement, shattered all to pieces;—not a pane whole; the apartment filled with smoke, and smelling so strongly of brimstone, that no one could venture to enter.—Friar Bacon himself had disappeared.

"It must have been,"—cried Friar Giles, who practised as a physician, and who, from an ugly professional jealousy, had always borne a peculiar

grudge against Bacon,—"during the last fearful clap of thunder, which seemed as if it would bring down the roof of the dormitory."

"Aye,"—said the Prior, screeching at the top of his voice,—"this is what comes of your Oxford learning. Such a thing never happened to a Cambridge man. We never dabble with the accursed studies of mathematics, forbidden, as they have been, as the clergy's scandal and shame."—In the most bitter strain did the Prior thus proceed, quoting every passage which his memory could furnish, and to do him justice, it was very tenacious, against the unfortunate science of *mathematics*, under which term, as my readers are probably aware, the delusions of astrology and even magic were signified.

When the cause of the event was first known, —and it had been fully ascertained that Bacon was carried off by the Fiend,—the hot and bitter rivalry prevailing between the two Universities thus betrayed the Prior into exquisite delight at the catastrophe which ended the career of the great ornament of Oxford. But when the hubbub had a little subsided, the Prior felt the truth of the adage, "Near is my shirt, but nearer

is my skin,"—to his affection for Cambridge he was sacrificing the repute of his own order; therefore he gave strict directions that nothing whatever should be said about the abduction.—"It should be confined to ourselves,"—said the Prior,—"and for our own credit, we must do our best to keep our own counsel, and hush up the matter." Everybody promised to observe the strictest secresy, and the Sacristan forthwith made an entry in the obituary of the house, that Brother Roger Bacon died suddenly on the eve of Saint John, having been struck with an apoplexy, in the fifty-ninth year of his age, and the thirty-second of his profession, and that he was buried on the right side of the choir, just by the High Altar.

These precautions, however, were fruitless. Somewhat according to the compendious practice of the celebrated Dr. Last, "Bleed the north ward" "and blister the south ward to-day: blister the "north ward and bleed the south ward to-morrow," —it was the custom in all well-regulated communities to have a general phlebotomization at stated and regular periods of the year, when, according to the ancient almanacks,—in many of which we find

the several "tempora minutionis" still noted,—the due and fortunate time for this operation had arrived: and as it just happened to be the appointed time, they had secured the services of one Richard le Pyot, the best barber in Addle Street, to bleed the community.

Unfortunately, Richard was already in the house. And, before the Prior could issue his injunctions, the Barber, abandoning pole and basin, had started at full speed, happy to impart the news far and wide, and what the conjectures, or rather the convictions, of "the public" were, I shall not repeat. I have much too much good sense to rake up the forgotten calumnies against the Franciscans, for whom, indeed, I entertain a certain degree of family feeling, especially as they have been long since collected and refuted, as well by honest Anthony a Wood as by Lucas Waddingius in his popular Annals of the Minor Friars. Besides that, I am afraid of our libel law, and until it is altered so as to displease the attorneys, and please the newspapers,—and even the highest members of the bar (if in Parliament,) find that it is exceedingly puzzling to trim between the danger of losing the patronage of Six-and-eight-

pence, and incurring the stern censures of Penny-a-line—all I can repeat with safety is contained in the following particulars.

About noon, there were crowds in Newgate Street looking at the corner pinnacle of the Tower which the Sorcerer had broken off by trying to seize at it in his flight. However strange the fact may appear, the pyramid was truncated and the fracture fresh, and there was no doubt but this portion of the building had been struck down since the preceding evening.

About vespers, it was well ascertained that one of the wretched Friar's sandals had been picked up on Hounslow Heath, and that his cowl had been caught by the cross on the top of Salisbury steeple.

And, before complines, the well-known Nicholas Trivet, the Dominican or Black Friar, and whose colour, therefore, rendered him the inveterate foe of the Greys, had inserted a detailed account of the dreadful catastrophe in his well-known Chronicle of England. Every particular of the bargain was given, together with a bitter invective against the Franciscans for their futile attempts at concealment. A mere narrative, however, was not thought sufficient by Trivet,

and he illustrated his tale by an illumination, which he had manufactured with equal ingenuity and expedition by making a tracing from the miniature of the witch of Berkley carried off by the Fiend, which illustrated his copy of William of Malmesbury,—adapting the original composition to his new design, by substituting Friar Bacon *en croupe*, instead of the old Lady.

I must now revert to the Convent where the adventure occurred. Marco well recollected the conversation which had ensued when the sight of the children's sport had induced him to expatiate upon the warlike pyrotechny of the East. Putting the circumstances together, he had little doubt as to the real state of the case. Therefore, waiting till the commotion had in some degree been calmed, he suggested, in the course of the evening, that it might be as well to see whether the departed Friar had left any memorials behind him in the cell which he had so recently inhabited. Some demur ensued upon this proposition. Without disgracing their cloth by owning to any distinct dread or apprehension, it was sufficiently evident that every one dreaded entering this scene of horror: and the offer made by Marco, that he

would be the first to encounter the danger, scarcely allayed the general consternation. Holy water was sprinkled in such unsparing profusion that the floor looked like a swamp: and at length, the Prior ventured to follow, though not without considerable hesitation, when the sudden appearance of a figure, sable as a Mandingo, caused him to retreat in the greatest dismay.

The well-known voice of the apparition, however, soon restored confidence. It was no other than Friar Bungay, who, as it should seem, had descended from the small upper chamber over Bacon's cell, making his way, as Marco well perceived, like a reasonable man, down the steep ladder communicating with the loft in which he had been concealed. But the Prior was entirely convinced that it was no such thing: whenever he felt himself at liberty to speak confidentially on the subject, he always stated, that he was placed in a most painful situation when compelled to bear testimony against his own order;—yet he had a conscience,—and he was under the necessity—disagreeable as it was—of confessing he had, but too clearly, seen how Bungay came down the chimney riding on a black goat, with a fiery beard.

And, indeed, Bungay was such an object, that his appearance really afforded some support to the Prior's version of the story.

Bungay's hands, his face, his attire,—his everything, looked as if,—to use the household phrase,—he had been rolled in the coal-hole.—Dirt, however, discomposed him not—he was used to it: and he retained all his usual calmness and tranquillity. The message which he gave to Marco,—that the Friar expected to receive him at Oxford,—was accompanied with no explanation whatever as to the time or manner of Bacon's departure. The great credit of the Franciscans coinciding with their interest so far prevailed, that no further investigation was instituted.—Yet the matter, taken altogether, was always considered by a small though respectable party, even in the Order, as having a very suspicious aspect. Soap and towels duly employed in the lavatory, removed, after no little labour, the smut and grime from Friar Bungay's physiognomy: but I cannot say that Bacon's reputation for orthodoxy was ever entirely restored.

No adventure, requiring any particular notice, occurred to Marco Polo and Bungay, during the journey to Oxford,—which the former willingly

undertook for the purpose of taking leave of his friend,—until they reached Heddington Hill. It was one of the wise police regulations of Edward the First, that all woods and underwoods should be felled to the extent of two hundred feet on either side of the highway, in order to deprive the robber of his place of concealment.—But in this part of the country,—whether the fault was to be imputed to the Conservators of the Peace or to the Sheriff, I cannot tell,—the statute had only been imperfectly observed. In one place, indeed, the ground was cleared: and the descent was there so precipitately rapid, that you quite looked over the thick underwood which surrounded you and apparently closed up the way below. Marco, at this point, reined in his steady steed, and dismounting, stationed himself upon a crag, and enjoyed the full bright prospect of the steeples and spires of Oxford spreading before him.—In the remote distance,—though entirely commanded by the elevation on which they stood—a small tower, whose summit could be seen rising through a grove beyond the massy fabric of St. Frideswide, was pointed out to him by Bungay as the favourite retirement, the Study of the Friar.

"Ah,"—exclaimed Marco, stooping,—"surely some Pilgrim from San Jago de Compostella, hath just preceded us; he hath dropped these cockle-shells from his garment. But no,"—continued the Venetian, more closely examining the fossil which had attracted his attention, and which he carefully deposited in his gibeciere—"it is one of those strange configurations, a form of life imbedded in the rock, attesting the plastic power of the stars, or perhaps, as some think, bearing record to the great catastrophe of the globe: and I have elsewhere . . . . ."

Professor Cabezudo lags so terribly behind the age, and is so swayed by his "preconceived theo-" logical opinions," that he holds the Geologists even cheaper than the Astronomers. He says, they "pursue the slow and toilsome path which "leads to physical truth," just as one of their own "erratic blocks" would do:—they crush all difficulties instead of removing them; not piercing their way by acuteness, but lumping through by ponderosity. In particular, the Professor likes to repeat the Irish story which he heard from Father O'Toole, formerly a student in his class at Salamanca, and now Parish Priest at Clonagoose, in

the County of Carlow; and who well deserves the name of O'Toole by metonymy.—"Paddy, how far is it from Mullingar to Michaelmas?"—"Plase your honour, as far as from Christmas to the Ace of Spades."—Cabezudo, as I have heard, applies this story to the Geologists, being of opinion that the deductions by which they calculate the length of the "periods of creative operations," exhibit the same pertinency: inasmuch as they measure by the laws of mechanical dynamics, the intervals of appearances, which, upon their own showing, are the results of vital forces and chemical action, whose intensities are wholly inappreciable by such mechanical laws.

I wonder whether Marco was about to blow a new geological theory. What delightful things —theories would be, if they did but endure. As the Geologist spends his precious vital breath upon them, they grow larger, and larger, and larger: and the iridescent tints and colours play and float brighter, and brighter, and brighter upon the swelling film, as it becomes thinner, and thinner, and thinner; but when they are at the brightest, they are rapidly succeeded by dark spots, these dark spots increase, the bubble bursts,

—the Geologist is quite out of breath—perhaps for ever—and some other Geologist forthwith begins to blow another theory in his turn.

Marco certainly intended to say more: when he was startled by a feeble groan of distress proceeding from an adjoining dell. He and Bu ïy followed the faint sound, and after a strict search, they were able to ascertain the cause.—The poor man, whom they raised up, told them, that being purblind, and just able by the guidance of his dog to go along the well-known path to market, he had been robbed by a ruffian, who suddenly attacked him without the least warning.—"Not a living creature was nigh,"—said old Herbert of the Bower, for that was his name,—"and I have been lying here, unable to move, many long hours. It happened just as I heard the bell afar off, beginning to ring for matins in Saint Mary's, the great church of our town."

Herbert added, that he had sat down to rest himself at the foot of the stone cross, joining in heart with those whose voices were resounding beneath the roof of the distant choir, when a murderous blow felled him to the ground. Lying

close by, was the staff used by the ruffian who had done the deed, extremely massy, and evidently having more the appearance of the weapon of a marauder than the support of a peaceable wayfarer. Marco therefore rightly conjectured that the Bandit had parted with his bludgeon in order to avoid suspicion, and had supplied himself instead with a sapling, riven from a beech tree hard by, as appeared by the fresh stripped wood and juicy riband of pendant bark.

"And could you recognise the villain again?"—said Marco.

"Never,"—said the old man,—"I could not see him: and he took good care not to let me hear his voice. I turned and caught at him as I dropped. I think my weight brought him down on one knee into the road; and I felt that he was clad in a leathern coat. But how can such tokens serve?"

"And thus,"—said Marco,—"the act concealed from every mortal eye, will escape all temporal retribution due to the crime,—for, in this closely-sheltered spot, unless the human sight could pierce from some one of those distant structures, no

observer could witness the assault. And without doubt, the robber was encouraged by the certainty that he could not be perceived in this solitude."

Such reflections did not exonerate the Travellers from the care of attending to the wounded man. They were considering how they could best assist him in his state of suffering, and convey him to Oxford: when they were relieved from their anxiety by the arrival of some country people, who at once recognised old Herbert as their neighbour, and who promised to convey him to Shotover, where he dwelt.

Marco and Bungay consigned him to their care, and resumed their journey to Oxford, which they completed just before the setting of the sun. It was fortunate that they hastened their march as the day declined, otherwise they would not have been able to enter the town. Pursuant to "the Statute of Winchester," the origin of our present system of the conservancy of the peace, the vigilant Wardens were preparing to shut the gates, and the Travellers just escaped the unpleasant necessity of passing the night in the suburbs. As they entered, the horn sounded, and the heavy valves swinging round, closed behind them.—

Further precautions, however, had been taken by the municipal authorities; and the Travellers proceeded but a few paces, when they were stopped by the chain drawn across the street. Only a small passage was left on one side of this barricade, near which stood stationed one of the nightly watch—the others were patrolling the street a little further on—who instantly crossed his gisarme over the aperture, and challenged the strangers before he allowed them to pass.

"Cry you mercy, your Reverence,"—said William le Parmentier, or the *Parchment Maker*, —a substantial Burgess, and eke a matriculated Member of the University, then on guard, and who had thus very properly arrested the progress of Bungay and his companion;—"and, to think that I should have stopped you; but your Reverence knows that the cowl does not make the Friar."

"I know that,"—quoth Bungay, rather angrily, —as if he suspected that the phrase had a special application to himself.

It is an awkward thing to blunder upon any speech which may appear personal. But there is one thing still more awkward:—and that is, to try

to explain it away. Do you suppose that William le Parmentier endeavoured to hint an inferential apology?—Oh no, it was not without improvement in tact, that he had dealt with the Dons of his age, so he simply proceeded,—" Our country just now is full of robbers and rievers: ye have reason to rejoice that ye 'scaped any bushment on the road, and that ye did not pay tribute to such freebooters as the Caitiff, seized early this morning as the man who rifled blind old Herbert, on Heddington Hill."

" Early this morning,"—said Marco, with much surprise.

" Yes, your Worship,"—continued the Burgess,—" early this morning. Just as St. Mary's bell had begun to ring for matins, the Mayor received a most unexpected visit from Friar Bacon—the Friar hardly ever comes out of his study—who told him that when old Herbert was making his way on Heddington Hill, and had sat him down to rest at the foot of the stone cross, one Richard Maufee, an ugly, ill-doing varlet, whilome a scholar, but who hath long been suspected of taking to evil courses, and who had been lying in wait for the old man, rushed upon him, and with one blow of his massy staff, felled

him to the ground. Maufee thus having despoiled the old peasant, he forthwith cast away his weapon, and was coming towards the town; "and "according to the rate,"—said Friar Bacon,— "at which he is now walking, he will assuredly "have reached the gate before the last psalm "is sung.—Send forth your Sergeants, Master "Mayor, see that he evade not, and your trusty "men will know him by his attire. He weareth "a leather jerkin; instead of his staff he carries "a slender beechen sapling, just riven from the "tree, and his leg, up to the right knee, is clotted "with soil."

"Master Mayor did not venture to ask the Friar,"—continued the Parmentier, turning with a significant look to Bungay,—"how he had obtained this intelligence. Indeed he did not know what might come to him next in his turn;"—here some whispering took place, which Marco Polo could not make out—the matter, whatever it was, excited laughter;—"but the Sergeants were forthwith despatched, and the iron grasp of Dick Saunz-entrailles was upon Maufee's shoulder as he passed under the arch. Words cannot describe his dismay, when he suddenly found himself discovered.

At once, and without hesitation, Maufee confessed the act, which, as he said, could not, in that closely-sheltered spot, have been seen by mortal eye. So that we shall pass judgment upon him even without any prosecution on the part of Herbert, who as yet hath not entered the town. Indeed, it is quite impossible for him to be aware that the robber hath been apprehended."

Friar Bungay interrupted the discourse, by requesting the Parmentier, whose party was on the point of being relieved by the second Watch, which was seen coming up, to conduct the Stranger to Friar Bacon's domicile; he, Bungay, having certain errands to execute in the town by the way. They would occupy but little time, and perhaps he might meet Marco before he reached the Study.

Three muffled figures now seemed to emerge, as it were, from a door-way in one of the collateral streets, and a shrill thrilling whistle was heard. Bungay hastily turned down and joined these mysterious apparitions; and speedily they were lost in the darkness. Forthwith the Parmentier, abruptly halting under a lamp which was burning before a statue of the Virgin, said to Marco,

clutching him with nervous anxiety by the arm, —"Here it is, here it is,"—producing at the same time a small twig, carefully wrapped in scarlet silk, and bound by seven azure threads.— "I don't mind them, I defy them, I defy the three serpents: it is witch-elm, and as long as I carry it about me, Bacon can't get a glimpse of me, though he can see through stone walls."

"I have heard of such things in Cathay,"— replied Marco;—"as for me, I am content if, on ordinary occasions, I can peep through a boulting sieve, as your Spaniard has it in his proverb; though when need requires, I can look as deeply into a millstone as the rest of the world."

"But," continued the Parmentier, in a lower and somewhat altered voice, as if he was not quite sure that the rowan would act as a thorough phylactery,—"the Friar hath a mirror—a magic mirror, which bringeth the form of any creature whom he listeth into his very chamber. Past becomes present. Distance impedes not. By the help of his glass he could show you every pebble on the most distant hills which bound the view from his Tower; nay, the very stars come down at his behest."

Marco did not like these, apparently wild and idle tales of Bacon's skill. He had a great respect for Bacon, he truly appreciated the character of the philosopher, and he began to fear that his friend condescended to practise the tricks of a vulgar trejetour or jougleur. So he replied with some little *dispetto*,—"Figures described to you, I suppose, by some cozening urchin, who alone beholds the vision, and to whose well-tutored response, you must trust for the truth of the Magician.—A gross imposition, as I have oft witnessed at Cairo."

"Nay, nay,"—replied the Parmentier,—"seen by yourself, if the Friar favoureth you—and," continued he, with a shudder of horror, "he uses the glass of Abraxas, made out of dead men's eyes. Aye, you may be as unbelieving as you choose,—the glass of Abraxas, made out of dead men's eyes. He concealeth not his dreadful art: nay, so bold is he, that he hath written a letter to the Pope, describing the incantations by which it is prepared. Corpse after corpse hath been disinterred by him, thus to supply the material for his necromantic mirror. Shame that such enormities should be practised in this Christian land. They would be

forbidden by the very Saracens, from whom he learns his wicked lore."

They were now fronting the Tower upon the bridge, Bacon's celebrated Study, in which, secluded from the throng, he held communion with the intellectual universe. Impregnated by the exhalations from the slow-spreading Isis, the air was damp and heavy, but sweet. The odours of the flowers clung to the humid atmosphere. And the plash produced by the fish rising to the surface, brought the dark unseen water and its circling ripples before the eye; marking also the repose of the hour more forcibly than a total absence of animated sound. Jupiter and Venus, sending forth the solid splendour which so peculiarly distinguishes the wandering fires of heaven from the fixed gems of the astral firmament, bore company to the moon, within whose lucid crescent the residue of her orb, evanescent yet not obscure, could faintly be discerned.

Strange machines could be traced behind the battlements of the tower, which were unusually lofty: and just when the visitors were covered by the overhanging machicolations, the "welcome" of Friar Bacon was heard from above. A light rapidly

gleaming and disappearing, gleaming and disappearing, as it sunk downwards through the narrow loopholes in the angle of the tower, indicated that some one was descending the winding staircase within: and now, Miles,—"Mad Miles,"—as he is called by the Oxford students, opens the door.

Marco Polo entered alone,—for the Parmentier, losing all confidence in his counter-spells, had retreated with the utmost rapidity:—and, following Miles, he found himself within that chamber in which so few had trod, the object of so much mystic awe.

Wide open upon the table was a volume, which, even to the most erudite in those days, might have seemed from its uncouth characters, to justify the suspicions entertained concerning the Friar's magical science. Marco, however, always delighting in the reminiscences of his Eastern peregrinations, was much pleased by having an Arabic book again in his hand, although he could not read the Mughrebin character, used by the Spanish Moors, and in which it was written, quite so currently as the flowing Nesjid, the new fashion, which in Asia had then recently superseded the more ancient semi-cuphic form. However, upon turning to

the beginning of the book, which, as Miles told him, his master always read backwards, he had no great difficulty in spelling out the name of Jacob Alkindi, in what Miles resolutely affirmed was the last page at the end.

"Welcome again, Marco,"—exclaimed Bacon, as he walked into the room, giving him a hearty English shake of the hand.—"Let me greet thee with the *Salam* of Bagdad, and the *Chœre* of Byzantium."

"Cary, Polly Cary,"—quoth Miles,—"thus our popinjays are taught, when the birds are hither brought."

"Peace, lozel,"—said Bacon to his busy valet, and turning to Marco, he proceeded,—"A good Treatise that of Alkindi on Optics, but somewhat too condensed to be entirely instructive. Alhazen, more deeply versed in the science of vision, errs on the side of unnecessary length and diffusion: yet I reverence these Ishmaelites as my masters,"—continued he smiling,—"nor will I criticise them. If perfect numbers are rare,—as you know there are but four between one and ten thousand,—even the remotest approach to intellectual perfection is rarer still. The further we

advance in knowledge, the less are we disappointed by the inherent and incurable weaknesses and failings of mankind."

A sudden flourish from the pipe and tabor of Miles interrupted the Friar, who silenced the Minstrel by an angry look: and a momentary pause ensued. Marco, resolute as he was, started back with amazement on hearing a voice, which, though only a whisper, was piercing, distinct, and intelligible, proceed from the gaping mouth of a grim brazen head, standing upon a truncated column, and so placed as to be nearly in a line with his ear. The words, however, thus spoken, were neither mysterious nor oracular: the magical figure said nothing but what was very simple, and might have proceeded from the head of a house, or any other caput of flesh and blood. On this occasion, the whole speech of the brazen head was confined to the phrase—"Miles, Miles, please let me in."

Miles, running down the staircase, obeyed the call. Somewhile afterwards, a noise was heard, as if the bearers of a cumbrous dead weight had much difficulty in slowly pitching and dragging their heavy burden up the steep stone stairs.

There was silence, as if they rested: and shortly afterwards Friar Bungay, accompanied by three muffled figures, entered the apartment. The four were laboriously supporting a long chest, covered with a black cloth, which, Friar Bacon pointing, they deposited near the window. Two of these mysterious personages bowed and quitted the room: the third remained, casting off his veil, he appeared as the renowned Friar Vandermast, and Bacon introduced him to Marco as one from whose co-operation he had derived important aid. A small mattock and pickaxe slung over his shoulders, and a dark lantern suspended from the cord which girt Friar Vandermast, excited the notice of the Traveller. "Doth the Brother,"—said he,—"come from any house of observance at Goslar, or Elbingerode, or elsewhere, near the Saxon mines? a help, I trow, in your metallurgic experiments, though I could not have divined that ore was to be found beneath the soil of this part of the country."

"He delves deeply,"—replied Bacon, hastily, and in a tone which did not invite further inquiry, and Marco, knowing well the peculiarities of his friend, said no more.

Round the hearth the settles were placed, whilst Miles appeared bustling about with singular activity. "A pretty toy,"—exclaimed Marco, pointing to the head.—"A useful one also,"—replied Bacon;—"the tubes conveying the sound extend both upward and downwards: the contrivance saves time to myself and to those of my visitors who are initiated in the secret, and spares trouble to Miles. But the Oxford folks are good enough to suppose that the constellated image will teach me to surround England with a wall of brass.—Such knowledge has perhaps been given to me, though it is not from this empty sconce that I learn the lore. Could man now profit by the lessons of my rede, our island coasts would be guarded round and round by floating castles armed as with thunder.—You recollect, Marco, our last meeting at the Palace gate."

"Yes,"—replied Marco,—"and when it seemed as if your Reverence were entranced like a Tartarian Schaman."—

"That childish sport which we there beheld, displayed the means of constructing engines of war, capable of bearing death and destruction through the air: not in vain terror, as is now

practised by the Tartar and the Arab, but so as to mow down the armies in their panoply, raze the strongest bulwarks, and beat the loftiest citadel to the ground. Form, measure, and resistance only were to be known. Form, measure, and resistance were to be found. I rested not, until from experiment, the great teacher of truth, I learned how to concentrate and guide the sulphurous flame."

"There is a curious tale current in Tartary,"—quoth Marco,—"concerning Prester John. This mighty sovereign, it is said, once gained a great victory by bringing into the field a host of men of metal, each placed upon a brazier: and as the fire below was kindled, each blew such a blast above, as utterly routed his enemies."

"Miles is now introducing you to one of Prester John's warriors,"—quoth Bacon.

A rushing sound was heard, and Marco beheld a chafing-dish, surmounted by a most uncouth effigy, with enormous distended cheeks, puffing through an extremely small pursed-up mouth a furious blast, directed against a small furnace, in which the coals glowed with intense combustion.

"I claim not the honour of the invention,"—said Bacon;—"the antick idol which you see,

whilome bore the name of Puster. On the shores of the Baltic, the hollow image was the object of the fear and veneration of the fierce Vendic tribes. Simple as the means employed for producing the blast may appear, the secret was confined to the juggling priesthood. The same trick was practised in the temples of our Saxon ancestors. Jack of Hilton, as he is called in Staffordshire, and who now performs his merry part in the Christmas festivities of the Hall, had, without doubt, originally his station in a heathen fane."

"It is passing strange,"—said Marco,—"that any nation, however savage, who had the knowledge of fire and water, could be deluded by a trickery grounded upon such a familiar cause."

"Not perhaps so strange,"—replied the Friar,—"as awful, their ignorance indicating how entirely man's knowledge of the properties concealed within the most familiar objects of sense, is overruled and controlled."

This great truth is so very obvious and familiar, that it therefore passes unnoticed. We are constantly expressing our astonishment at the recurrence of such deficiency of knowledge amongst those whom we term uncivilized nations, or in

what we consider as a dark or ignorant age: quite forgetting that exactly the same absence of human perception, until the arrival of the appointed time, is equally exemplified amongst ourselves.

How unaccountable,—we say,—is it that the Tahiteans should never, until visited by the English circumnavigator, have discovered that water could be made to boil; and that such its property should have continued totally incomprehensible to them. Be it so,—but seat yourself in the Theatre of Science, listen to Davy, whilst he comments upon the operations,—so important in the deductions to be drawn from them, and up to this moment so neglected,—converting the limestone into marble by the contrivance which prevents the escape of the subtle element.—Explain why, with those palpable tokens of the wonderful effects produced by the coarsest of all processes—mechanical pressure—the Chemist gifted with the most extraordinary rapidity and resource in experimenting, fails to perceive that the glass tube held by his Assistant, Faraday, will exhibit and contain the "permanently elastic carbonic gas" visible and tangible as the ocean wave.

Whilst Bacon and Marco were speaking, other

machines were disclosed to view by the ready service of Miles. A shrine-like Temple appeared, the pediment supported by miniature Doric columns, before which was placed an altar in antique form, covered by tiny fagots of cedar, heaped as for the sacrifice, and kindling into a flame. Shortly afterwards when the fire was in full blaze, the door of the Temple opened, hissing dragons protruded forth: and sparkling jets ascended from the vases on either side, shooting higher and higher as the temperature increased. Hard by, was seen a brazen ball, rising and falling in a cylindrical tube, its gravity counteracting the forcible gusts of aqueous vapour which issued by fits from the receptacle below: and on the same range a whirling sphere revolved with extreme rapidity, enveloped in the white clouds of steam by whose generation the motion was produced.

"All these automata, which to future ages, will afford the fullest proofs of my doctrine,"—said the Friar,—"thus derive their vitality, for I can scarcely avoid employing this term, from the same elementary cause. Applied simply in the next immediate term of progression, and these

devices, which the mathematician Hiero of Alexandria, presents as the sportive accompaniments of the banquet, would become the mighty engines destined hereafter to alter the whole frame of human society, nay, almost to change the physical aspect of the globe.—Thus far could the Greeks advance, but no farther. The march of their acute intellect was stayed by an Almighty hand. They could not make one step beyond the boundary destined for them. Seeing, they saw not;—and, at distant periods, these antagonist powers will continue to be successively employed,—the knowledge of their physical energies now advancing, now receding, now revived, now forgotten.—Nevertheless, seeing, men will see not; until the appointed hour arrive, and the use of that knowledge shall,—whether in wrath or in love,—be imparted to mankind. But more of this hereafter. The hour of observation is approaching, and he who watches the silent motion of the spheres, must not slumber in weariness.—Farewell—Farewell—Farewell—until the morn."

Miles had for some time past evidently been watching for his master's departure, and for the arrival of some visitant. According to the regu-

lations of the "Cofradia de los Tontos," or "Brotherhood of Boobies," as preserved by the celebrated Don Mateo Aleman, one of the acts and deeds which entitle you to admission into that ancient and honourable Fraternity is, when you expect any body, looking in and out of the window, as if by so doing you could make said body come. And since it was now pitch dark, Miles, in giving the same tokens of expectancy, might be considered as doubly making good his claim.

But worthy Miles,—gentle reader,—was more knave than fool. Bacon, like many other wise men, was as unknowing in his own domestic concerns as he was surpassing in general knowledge. Whilst Bacon steadily repudiated all pretensions to magical science, of which he had forcibly demonstrated the nullity, the little knot of dependents who surrounded him, managed him, and lived upon him, were just as anxious to assert their claims to occult lore.

Such pretenders were common enough in the middle ages. By the doctrines of the Church, magic and necromancy were severely condemned, and the fagot was denounced against their vota-

ries: but in England, at least, the superstition was neither rigidly inquired after by the ecclesiastical courts, nor, during a very long period, punished by the secular tribunals. In Parliamentary documents, we find "Nigromaunсer" attached to a man's name as an addition of lawful calling, not so frequently, indeed, as "Smith" or "Baker," but still evidently without any idea of concealment or absurdity. And the details preserved concerning these respectable practitioners, all tend to show that their vocation was tolerably lucrative and successful: provided the individual who tried the profession possessed the proper qualifications.

But these were not so common as might be supposed. It requires a peculiar knack, approaching to first-rate diplomatic talent, to be an assistant-conjurer, a sub-necromancer, a pocket-wizard, an under-managing magician to a professor of the black art. Not quite so much as is required for a private secretary to an Ambassador, but entirely of the same description. Giovanni Alessio, who officiated in that capacity to the celebrated Cagliostro, was particularly suited for his office. The great Adept, when he honoured London with a visit, had caused it to be well

understood that he was in possession of the elixir of life, with its usual accompaniment, the philosophers' stone, he having been initiated in the Lodge of Sesostris held in the Great Pyramid, some time, I believe, during the first crusade.

Giovanni Alessio had been heard to say that he did not think his master's account of himself was entirely the truth: and various expressions which he had dropped, induced two, then young members of White's, to suppose that by a clever examination of the attendant, they might unmask the Charlatan. The "Most Noble Grand" was not at home when they called at his lodgings up three pair of stairs in Round Court, Saint Martin's Lane. But Giovanni came out, and a guinea having been duly administered, they soon led him into confidential communication. Giovanni made no scruple of intimating his doubts about the Count's entire veracity, yet, without coming to the point, till at length one of them pressed him closely as to his master's age.

"I cannot quite believe him,"—said Giovanni. "I don't wish to act the traitor, and to betray him. I don't go to the length of saying that he is a mere impostor: but I more than suspect that he exaggerates. As an honest man, and as one

who has a character to lose,—my character, Gentlemen, is all I have to depend upon,—the very utmost that with regard to truth I can possibly say in support of master's story amounts to nothing more than this,—when I came into his service, he did look quite as old as he looks now. He is not altered in the least. I can't see any change in him, neither for the better nor for the worse."

"But *when* did you come into his service?"—quickly retorted his interrogator.

"Why,"—said Giovanni slowly and considerately, evidently reckoning carefully by head,—"let me see, it was in December that he hired me: so that next Christmas it will be four hundred and ninety-seven years and some odd days since I came into his service;—beyond this, Eccellenza, he can have no help from my testimony."

The numerous details which have been preserved in the Bodleian respecting Mad Miles, and the clever *defaites* which he gave to those who attempted to steal information respecting the extent of the Friar's necromantic powers would, if I had been allowed to insert them here, have

shown that he was at least equal to the valet of Cagliostro. In my opinion, they would furnish some very curious particulars of the manners and customs of Oxford, besides some interesting private anecdotes, highly valuable to all Grangerians and other interleavers. But my inexorable censor, my Publisher, who inspects the sheets before they are worked off, has compelled me to expunge them all, because he maintains that they are digressions, and make the book too large. Besides which, he is a careful man, seeking to give further extension to his increasing business, and as he looks for some sale at Oxford, he is not quite sure whether he may not offend the Proctors and Bull-dogs on the one part, or the Sheriff and the Town-Council on the other.—It is impossible to be too cautious in these sad controversial times, especially at Oxford, —I dare not repeat, for whom, as I have heard, they are scouring that great gridiron which they show you in the kitchen at Christ Church.—So I must content myself with saying, that it was the practice of Bungay and Vandermast, aided by Miles, to turn an honest penny when occasion served, by availing themselves not only of Bacon's reputation, but also of his science. And the faint knock at the

door, announced the arrival of the client who had been appointed by the two Friars to meet them, when, as they were aware, Bacon would have retired into his observatory. Bungay quickly covered his head with a huge furred cap, which came down almost to his eyes: and a black cat which had been slowly creeping about the room, was forthwith installed upon the table. Gib, however, did not contribute much to the efficacy of the charm: for, after once or twice arching up its back a great deal higher than the tip of its ears, it stretched itself out at length, and fairly fell asleep during the remainder of the ceremony.

"What seek ye?"—growled out Bungay to the pale and trembling youngster who now entered the Study, ushered in by untrusty Miles.

"A sight of her who is to be my best beloved."

In a solemn voice Bungay replied, repeating the verses not only preserved in my manuscript, but also in the printed black-letter history.

"Now we hear the croaking toad,
Now the owl is roused abroad,
Flittermice, that flee the day,
Through the gloaming make their way.
In Friar Bacon's name I charm ye,
Nought shall scare, and none shall harm ye."

And thus speaking, or rather chanting, the solitary cresset, by which the chamber was scantily illuminated, suddenly expired. More than compensated, however, was the loss, by a bright circle of light, which immediately expanded itself on the opposite wall, wherein appeared, slowly traversing the disk, Dame Venus, in her dove-drawn car.

Bungay informed the Aspirant, that this apparition was an indispensable element in the spell. The incantation, he said, was attended with great difficulty, and unless the patroness of "ladies' love and druery" condescended to appear, it would fail. "And now,"—said Bungay,—"let us next evoke Helen of Greece, her most favoured daughter, in whom the features of your paramour will be displayed."

Venus had departed, and was replaced in the circle by a richly-attired damsel, owing her splendour to garments which, as might be supposed, had but little affinity to the costume of classical antiquity, being, in fact, the fashionable dress of the day.

The enamoured Student was intently endeavouring to make out the countenance of the figure, when a flourish from the pipe and tabor of Miles

momentarily distracted his attention: but, looking eagerly again, he beheld all the gay adornments of the visionary fair, sliding, as it were, away. Sendal and samyt, gold and pearls, had vanished, and Helen of Greece was metamorphosed into a sturdy, comely kitchen-maid, with a ladle in her hand.

If there had been sufficient light in the chamber, the countenance of the inquirer would have revealed a most uncomfortable consciousness of the vision's verity. As it was, he felt thankful for the obscurity which ensued when the illuminated circle faded into darkness. Miles, shortly after re-entering with a lamp, conducted him down the winding stair: and Marco, much amused, retired to his chamber.

Chapter VI.

KNOWLEDGE.

Bacon was already busy at work, when, on the following morning, Marco, without waiting for any previous announcement, entered unhesitatingly into the secluded retreat of experimental science. In the deep recess of the window, the Friar was standing, absorbed by meditation. Earnestly wrapped in thought, he neither heeded nor heard the footsteps of his visitor. The mysterious coffer, brought by the veiled attendants, was placed open beside the Friar on the stone floor, half covered by the mournful drapery of the sable pall, which dropt into the empty sides.

Marco came up to his friend in full confidence, but he was stayed with surprise, nay, almost with alarm, when, upon the table, he beheld a blue and livid carcass recumbent in hideous length; the object by which the mind of the Anatomist was completely engaged. Foreshortened to his view from the position in which

the body was stretched out, the clayey muscles of the rigid arm were seen divested of their integument. More than usually skull-like and ghastly, did the poor disfigured countenance appear. The organs of sight had been extracted from their orbits: indeed, one of the visual balls had just been lifted out of the socket by the scalpel of the operator.

Marco shrunk from the fearful display of mortality, yielding to the natural, and, in many persons, unconquerable, disgust, excited by the presence of a mangled corpse. Argue as we may, such a spectacle is, in the first instance, abhorrent to our feelings. He sickened at the loathsome display: and yet his attention was strangely fascinated. Turn away he could not. As he gazed, his horror rapidly subsided; and soon was it entirely conquered by the expression of lofty intelligence, beaming in the countenance of the Operator.

Bacon was contemplating his subject with that tranquil and intelligent solemnity, which, until the dissection of the dead body became, as it now is, a familiar and daily portion of medical study, characterized the tone of thought brought

by the investigator to his pursuits. Deep and considerate reflection, heightened by devotional respect, were the sentiments which physiology inspired. In some degree, the grave feelings of the ancient anatomist may be attributed to the character of mystery then enveloping the post-humous examination of the human remains.—Conducted, also, not unfrequently with danger, the opportunity for such investigations was rare. These incidents gave more value to the study. They imparted a solemn preparatory tone to the inquiry, and the same sobriety followed it onwards. Instead of being attended merely by a crowd of unthinking youth, of rude and untutored students, even old gray-headed men came eagerly to learn: all presented themselves prepared as for an important event. They encountered the task with minds predetermined by religious reverence.

Thus were they preserved,—well was it for them that they should be so,—from the assumed defiance of death, the irreverent treatment of the pale corpse, the ribald jest, the impure gibe, the hardened jeer: all no less baleful to the individual, than to the dignity of the noble science imparted for the relief of suffering mortality.

"You have heard, without doubt, how I plunder the yawning grave,"—said Bacon.—"Qualified, as it has pleased Providence to render me for these studies, I still follow, in cultivating them, my own vocation. I trust I may be enabled to impart some useful lessons to the physician of the body, without deserting the service of the Physician of the soul.—Approaching with awe that substance of dust, which, though polluted with sin, was nevertheless the living temple of the Holy Spirit, we dimly read the sentences of the book wherein all our members were written, before the creation of one atom of the material world, before time itself was called into existence."

"The belief in God's perfect Providence has no sure foundation except in the evidence of things unseen: yet, if guided by His word, he permits us in some degree to understand the adaptation of this wonderful structure, not merely to the general term of human life, but to the particular length of days assigned to each of the Children of man.—God's all-wielding power determines the special and peculiar application of the universal law."

"Coeval with the first pulsation, when the fibres quiver, and the organs quicken into vitality,

is the germ of death. Before our members are fashioned, is the narrow grave dug, in which they are to be entombed."

"Imperfect as these our glimpses of knowledge may be, they all convince us that no more oil could have been poured into the lamp, than would nourish the flame until the pre-ordained hour of its extinction.—The youth expires apparently in his prime. Are his weeping kindred tempted and agonized by the thought, that fatigue brought on the catastrophe, or that care might have averted the danger?—Develop the frail vessels, and it is proved that their coherence could not have possibly sustained the pressure of the purple tide beyond the age when the vigour of adolescence was attained."

"Do we term the departure premature?—Premature!—the word belongs not to the vocabulary of faith. It has no place in the mind of the believer.—Ask not why the pale babe, mysteriously brought to the confines of this vale of tears,—heir to our transgressions, and yet spared from participating in their bitterness, who never looked upon the light of day, and whose voice never sounded in the mother's ear,—is carried away as in a sleep,—

parent and child separated until they shall both awaken and stand before the Throne.—Ask not why the span of fourscore years is given to him who is gathered to his fathers, after passing through the full length of his weary pilgrimage.—But, be thankfully assured, that under every individual dispensation, comprehended from and through all eternity in the unity of the divine design, the tares are not rooted up, until they can no longer be rescued from the fiery furnace, nor the good corn gathered, until it is ripe for the garners of the sky."

"You are now,"—replied Marco,—"more particularly employed upon the visual organ."

"I am,"—said Bacon.—"From the examination of this dull and glazed orb, may we collect the import of those laws, which it now pleases the Lord of nature to impress upon the rays, called forth from primeval chaos by His Word."

Bacon then proceeding with his demonstration, expounded to his hearer the texture of the coats, the dispersive and refractive powers of the humours, the functions of the retina. Comparing the lens modelled by organic life, with the lens formed by art, and explaining how the visual

angle conveys to the mind the idea of size, he described those inventions, by which, as he declared to his contemporaries, we may be enabled to read the smallest letter at an otherwise incredible distance, and to number the grains of sand: to behold the most minute object expanded into portentous magnitude, the moon and the planets brought down from heaven.

"And how,"—said Marco,—"have you attained this wondrous knowledge which you possess?"—

"Whatever I have learnt, unworthy as it may be of the name of knowledge, has been acquired by avoiding the causes of error, the idols by which man is so speciously deluded.—Submission to undue authority is one commanding idol. We talk of the independence of the human mind; but man loves to grovel before any intellectual authority, except that which is grounded upon obedience to the Almighty will."

"Let any teacher arise; and listening multitudes will crowd around his chair, provided he does not appeal to Holy Writ. Announce positions utterly unintelligible to the human mind, and they are acknowledged implicitly, if pro-

pounded as the doctrines of human intellect and the results of human reason. It is true that man frequently resists one tyrant: but, if he releases himself, he only surrenders himself instantly to a new thraldom: it is only to place his neck again beneath another yoke.—Every yoke is light to him excepting that of his Redeemer."

"Another great cause of error, and closely allied to the former, is a cowardly subscription to popular opinion.—All writers, all philosophers, all reasoners, confess in theory, that the wise are few, the foolish infinite in number. But when it comes to the actual tug and warfare of daily life, their courage fails: and the Sage will shrink from the censure, still more from the ridicule of the united voices of those, whom, singly, he will contemn and despise."

"No less delusive are the inveterate restraints of usage, a slavish conformity to the customs, and still more to the fashions of the world: the fear of doing or saying, nay, even of thinking, any one thing which the world dislikes, the pigmy bonds which tie down the giant to the earth, counteracting his energies, and subjugating his powers."

"Lastly, would I place the concealment of

ignorance by the ostentation of false knowledge: symbols accepted for realities, words substituted for ideas, conventional fallacies honoured as self-evident truths. A mutual concession maintaining the system of mutual adulation. Each flattering and flattered in his turn. The deceived tacitly conniving with the deceiver, in order to avoid being roused to a sense of the real deficiency under which he labours, or to have his proud self-confidence dispelled."

"But you appeal to experiment,"—said Marco, —"as the dispeller of falsehood and the test of truth." ——

"Certainly, so far as relates to all the varied *phænomena* of nature, the appearances, constant and unvarying to our senses, which in our present state of being have, as towards us, a substantive existence: but, in the only real and intrinsic meaning of the term, truth is not in anywise thereby to be attained. All real philosophy radiates from the knowledge of God. One science rules and governs all others, the knowledge of the Word of the Lord. There is only one road to salvation. Nor should the human intellect ever be exerted in the pursuit of science, unless on the

full and entire conviction, that in all things, reason is to be humbled before that Revelation which has been vouchsafed to mankind."

"But,"—replied Marco,—"are not you speaking most strangely in contradiction with yourself, annulling the very doctrines which you so recently proclaimed, when in that mouldering flesh you sought and saw proofs of eternal foreknowledge and boundless wisdom?"

"Unquestionably,"—answered Bacon,—"those proofs are there to be found, because, His overruling and active Providence being previously acknowledged, the inspired Psalmist teaches us how to derive instruction from the manifestations of God's design and power.—So far is most right: we obey the light which descends to us. But if, discarding the knowledge given to us by the Holy Spirit, we were from a contemplation of these manifestations, to endeavour by our our strength to rise upwards, and to deduce by human arguments the existence of that design and power, we should be forming for ourselves a system of physical or "natural theology," the most imperfect and discouraging creed which the will-worship of the human mind can possibly compose.

"Could we view this globe as it came from the hands of the Creator, when everything which He made was very good, we should have everywhere around us not only the evidence, but also the effects of his unbounded beneficence. But the earth on which man is placed is no longer as it was framed: it has been cursed for our sin. In every portion of our physical and mental creation, in the soil upon which we tread, the body in which we live, the thoughts and actions of the soul, we are pierced by the thorns and thistles, and taste the sorrows of the death which by our rebellion we have incurred.—No human reasoning can account for the presence of evil: no human argument can reconcile the existence of evil to a system of beneficence.—Nothing whatever but the unqualified acceptance of the whole Word of God, the whole scheme of redemption, as declared in and by that Word, can give us any comfort or confidence in God's mercy, or account for such an inscrutable mystery.

"Be assured, that if, rejecting the Scriptures, or rejecting any part of them, and endeavouring to supply the place of God's Holy Word by the arguments which human intellect suggests, you are ever seduced into the presumption of

attempting to explain away the positive and certain existence of evil in this scene of being, you will find it quite impossible to give a consistent answer to the errors of the disciples of Manes.—Read their history; it is full of awful warnings. Yielding to the legitimate deductions from 'science, falsely so called,' and once swerving from the truth, they were led onwards, until they adopted the miserable belief, that the universe was shaped out of eternal, self-existing matter, by a mighty and incomprehensible, yet limited and malevolent power."

"Such is the creed,"—said Marco,—"of the Heretics of the South, the Albigenses, so many thousands of whom have perished by the sword, or have withered in agony in the slow flames of the smoking pile, or are at this moment suffering the protracted torments of living death, immured between the four walls of the cell, where, when the spirit has departed, the body decays in its dungeon tomb."

"The same,"—replied Bacon;—"ineffably wicked as this persecution may be; and the heaviest load of guilt is incurred by their merciless persecutors,—we must not allow the pity for

their sufferings to induce us to defend their errors. The Albigenses hold that the abundance of evil raging in this world in such infinitely varied forms,—pain, famine, and disease,—is totally inconsistent with the idea of an all-wise and beneficent Creator.—How, for instance, would you, if tutored by the teacher of a natural theology, reply to one of their most popular arguments, drawn from the perpetual and cruel warfare of the various tribes of the brute creation, and of the miseries which they inflict upon each other, in what these misguided men style the vast charnel-house of the world?—Why, ask they, is the innocent sheep surrendered to the jaws of the ravening wolf?—Why, is the envenomed fang of the viper given as the means of producing a painful death?"

Marco spoke out most readily.—"Contrivance proves design, and the predominant tendency of the contrivance indicates the disposition. Evil no doubt exists, but it is never the direct object of contrivance. Consider only how the earth teems with a superabundance of animal life. Perhaps there is no species of terrestrial animal whatever which would not overrun the earth, if it were permitted to multiply in perfect safety. At least,

if any single species were left to their natural increase without disturbance or restraint, the food of other species would be exhausted by their maintenance.—Destruction must always follow superabundance."—

"And your opponent would destroy your argument by your last word. He would ask you, How can you reconcile the permission of superabundance with the dictates of infinite wisdom?—You speak entirely as man speaks concerning the acts of man.—You address your argument to human reason,—and human reason will answer, that it would have been perfectly practicable so to regulate the fruitfulness of the animal, and the productiveness of the ground, that all might have fed and been satisfied: and that the whole of the machinery of devastation and destruction might have been avoided. Natural theology descants upon the impress of wisdom and power exhibited in the created world. But the natural Theologian wholly refuses to read the indelible characters in which the punishment inflicted for disobedience against God is written on this mundane globe.

"Argue with as much subtlety as you can, you will find that you never can refute the objections

of your adversary, excepting by a simple appeal to the Bible, revealing to us that the earth was cursed for man's sake. Natural theology teaches us nothing of the promise of salvation; and nothing but the mystery of redemption can countervail the mystery of sin. Recollect the extent of the argument which a professor of 'natural theology' is compelled to take. His inductions must be entirely based upon matters cognizable by sense. He seeks only to influence through the understanding. Let him be tempted into a disputation with an unbelieving opponent, accustomed, in any degree, to the exercise of thought; and in what position will he stand?—If he finds one permitted evil, which could have been avoided: one difficulty connected with the existence of evil, which he cannot solve: one doubt suggested by the prevalence of evil which he cannot remove: he will be driven to the pinch of conceding the whole effect of the reply,—that 'creation might have been produced by a being whose views rested upon misery.' What can result from such dubious disputations except the greatest danger to the soul? Why should we court the attacks of the enemy?—Temptations

enough will always arise within us. And the natural Theologian, casting away the armour which would render him invulnerable, grasps the broken spear, and braces the pierced shield, and rushes upon his Adversary. Consider the state of the man of the most cultivated intellect, nay, of the best intentions, who, in any degree, alloys his faith by a theology inevitably conducting to such baneful fallacies; and compare it with the perfect peace of him, who, 'becoming a fool that he may be wise,' strives not to create a religion based upon intellect, but simply answers,—'My thoughts are not your thoughts, neither are your ways my ways, saith the Lord.'"

Marco replied,—"Yet I must recur again to your own precepts, when you exhorted me to view the fearful and wonderful conformation of the body as evidencing, according to Scripture, the power of the Almighty."

"Yes,"—said Bacon,—"but the Psalmist does not rest in vague contemplation of the Deity. He desires you to dread the vengeance of the Lord, and to implore his mercy. He teaches you, that the God, who made the heart, is the God who knows the heart. He compels us to acknow-

ledge that the body was shapen in iniquity and conceived in sin. Had I contemplated this mortal frame as a natural theologian, I could not have proceeded beyond the proof that the body was organized by a designing and disposing Intelligence,—and what does religion gain by such a proof?—Was there ever any human creature in his right senses by whom that position was denied? Natural theology spends its force in refuting tenets which no one holds, in assailing an enemy who does not exist, an absolute Atheist: and evades, at the same time, every consideration which is distasteful to our natural conceit and pride."

"If you ask the natural theologian why the body was rendered accessible to pain and amenable to disease, he would be reduced to such futile inanities as to tell you that pain is a salutary provision, inasmuch as it teaches vigilance and caution, and gives notice of dangers; and that mortal diseases are intended to tire us out, and thus reconcile us to death. But why, may the sceptic inquire, could not pleasure convey the same association to the mind? What reason can we give for the introduction of death into the world?—Unless we acknowledge that our disobedience rendered us justly

liable to the condemnation of death, we shall only be taken in our craftiness, and our contemplations will lead us, not to wisdom but to destruction."

Marco would not yield.—"And what,"—said he, "if we ascend in contemplation beyond this earth, and seek our 'Natural Theology' in the radiant spheres?—Surely the habit of contemplating God through the wonders of the external world, and its adaptation to the wants of man, is not only compatible with firm religious belief, but with the highest devotional feeling. Are we not told by the Psalmist 'that the Heavens declare the glory of God, and the firmament showeth his handy work.'"

"Dismiss *me* from your thoughts, Marco,"—replied Bacon.—"Instead of the Friar in his Study, discoursing with a friend, imagine yourself in the neighbouring Church of St. Mary the Virgin. Suppose you have before you a Preacher addressing this University of Oxford, in an age when, by the permission of Providence, those sciences which I now recommend, shall be pursued with intoxicating vigour: when the Handmaid, instead of waiting with humility for the commands of her Mistress, shall rudely endeavour to usurp her authority. Consider this Preacher as one, who, never forget-

ting the prerogative derived from his high and sacred commission as a member of the Apostolical Hierarchy, is equally preserved from the delusions of spiritual pride, and the chill of worldly wisdom, and he might answer arguments like yours in the following words:—

"'The heavens do declare the glory of God, but 'not his will; they are all-perfect, all-harmonious; 'but that brightness and excellence which they 'exhibit in their own creation, and the divine 'benevolence therein seen, are of little moment 'to fallen man. Religion is something relative to 'us, a system of commands and promises from God 'towards us.—But how will the sun, and moon, 'and stars, teach us our duty? How will they 'speak to sinners? They do not speak to sinners 'at all. They were created before Adam fell. 'We see nothing therein of God's wrath, of which 'the conscience of a sinner loudly speaks. So 'that there cannot be a more dangerous, though a 'common device of Satan, than to carry us off 'from our secret thoughts, to make us forget our 'own hearts, which tell us of a God of justice and 'holiness, and to fix our attention merely on the 'God who made the heavens; who is our God

'indeed, but not God manifested to us sinners, 'but as he shines forth to his angels, and to his 'elect hereafter. When a man has so far de- 'ceived himself as to trust his destiny to what 'the heavens tell him of it, instead of consulting 'and obeying his conscience, he misinterprets and 'perverts the whole tenour of Scripture.'

"Such might be the sentiments of the Preacher whom you may picture to yourself as living in after-ages, and happy will this our country be, if, the error prevailing, so faithful a minister should arise."

"Yet,"—replied Marco,—"one word more. Methinks your visionary teacher goes much too far. I am not convinced that the arguments which you ascribe to him disprove the position that a 'natural theology' is a wholesome exercise of the understanding: which, admitted it be incompetent to sustain the hopes of man, may advance him in piety, and remove obstacles to belief. Nay, I will not recede from the assertion, that the ready inductions of natural religion may bring convictions of the greatest moral worth,—at moments too when proofs of a different nature would be denied all access to the mind."

"The dealings of Providence with the hearts of men are inscrutable,"—was the reply of Bacon.—"But the least invidious mode of judging of the general tendency of any system is, to consider the fruits which it has produced."

"Unquestionably,"—said Marco.

"Then,"—replied Bacon,—"your test of the tendency of 'natural theology' may be found at once in the conduct of a Simon de Montfort, bathing in the blood of the slaughtered citizens of Béziers: or the Legate exulting, whilst the inhabitants of Minerbe, consuming at the stake, are offered as a grateful holocaust."

Marco looked at the Friar with strange perplexity. "What can you mean?—Do I understand *you* rightly? or do you misunderstand *me*? —You are portraying the savage persecutors, whilst the Albigenses whom they assail, exhibit patience, charity, and forbearance."

"You are judging by the first impression,"—replied the Friar,—"but, pause.—Examine the characters of those so strongly contrasted parties. Search out the instigating cause of their errors. Opposed as they seem in conduct, they are both equally under the influence of the great source of

deceit to the unstable, the unwary, and the lukewarm: for what is called 'Natural Theology' is no other than one of the phases assumed by the religion of the world. Let me continue my anticipation of the Preacher, who may be heard in this seat of learning, when centuries shall have rolled away. Contemplating the period in which we have lived: reviewing in the pages of history the acts of men by whom the Cross of the Redeemer has been rendered the symbol, not of love, but of fell destruction; we may imagine him describing our sins and errors in the following guise.—'The 'adversary of mankind devised a new Idol, to 'be adopted by the world as the true Christ, and 'it remained in the Temple of God for many a 'year. The age was rude and fierce. Satan took 'the darker side of the Gospel, its awful mysteri-'ousness, its fearful glory, its sovereign, inflexible 'justice, and here his picture of the truth ended. 'God is a consuming fire, so declares the text, 'and we know it. But we ought to know more, 'that God is love also, but Satan did not add this 'to his religion, which became one of fear. The 'religion of the world was then a fearful religion. 'Superstitions abounded and cruelties, the noble

'firmness, the graceful austerity of the true Chris-
'tian were superseded by forbidding spectres,
'harsh of eye, and haughty of brow, and these
'became the patterns or the tyrants of a beguiled
'people.'

"Such were our fathers and grandfathers, the Leaders of the Crusades. Our world is one priding itself upon warlike spirit, upon zealous adventure, upon profuse bounty and largesse. Qualities like these which bear a delusive resemblance to Christian graces, are perhaps the most insidious of worldly sins; they take you unawares. Without any open opposition to the Gospel, their supporters, slaves of the powers of the world, pick and cull so many of the doctrines of the Bible, as, when considered singly, can be wrested to afford a fancied support to ambition, ferocity, and revenge; and the crimes which Christianity condemns are joyfully perpetrated in the name of the Gospel.

"Another age may be characterised by tendencies, in which the lusts of the heart assume a totally different disguise. Natural Theology or the Religion of the World will amalgamate with the cultivation of taste and the progress of refinement. And the prevailing character of human

society will be a universal approbation of suavity and delicacy of thought. Outward propriety is accepted in place of inward purity. Profligacy, if deprived of half its grossness, will be represented as losing all its deformity. Our relative duties, the works which are the proofs and fruits of faith, will be enjoined, not because they are to be practised in obedience to the commands of God, from whose behests alone they derive their character of virtues, and by whose grace alone they can be efficiently performed, but as possessing an inherent merit. Morality will be inculcated, not as resulting from the direction and control of our inclinations, attesting our love towards a God of holiness and justice: but merely for its utility, as a habit conducive to the happiness of man, the good of the individual, and the welfare of human society; thus rendering each individual the arbiter of his own conscience, a judge in his own cause.

"Luxuriating in the pleasures of literature, and the products of science, the human mind, reducing all things to a human standard, will render the human intellect its idol. In such a state of things, the religion of the world will be metamorphosed into 'natural theology,' or a nominal

Christianity, differing from natural theology only by its name. In this our age of fear, has the religion of the world arrayed its spurious zeal in the garb of knighthood, and invested it with the splendour of feudality and chivalry. So in the future age of arts and sciences, the religion of the world assumes the chaste aspect of literature and philosophy. Every declaration of God is examined by the measure of our finite understanding. Rationalism is substituted for faith, and just so much of religion retained, as the mind of man can comprehend, and the natural heart approve.

"Whilst the gentle gale breathes sweetly, and the bright sun shines, none of the monsters of the deep will rise to view. So long as the shadows of Christian virtue continue the world's favourites, this religion of the world will retain its specious character of decorum and amiability, but no longer.—Let sensuality command profit or applause, the gifted poet becomes the willing pander to the lowest appetites of human nature. —Is the established order of civil subjection condemned by the opinion of the world? The philosopher will serenely assist in delivering up to slaughter, those who refuse to join the ranks of

anarchy.—Is the Cathedral or Cloister stigmatised by the opinion of the world, as the stronghold of superstition? and the advocates of civilisation deliver the priest and recluse to the sword, with as much exultation as the Inquisition now immolates the heretic.—And, if any form of faith is deemed to impede the amelioration of the human race, projected by the philosophical theorist, the crime of conscientiously adhering to religious belief, will be visited with all the insatiate ferocity of the Crusade."

"Assuredly these extreme consequences will not follow in every case.—The advocates of 'natural theology' will be often unconsciously aided and exalted by a better spirit.—Some will carelessly admit this system in words, but never allow it to influence their thoughts.—Some will assent to its positions for the purpose of avoiding offence, mistakenly extending the duty of forbearance from uncharitable zeal, into the permission of conniving at incontestable error.—Some, lastly, may instruct their disciples to search for the attributes of the Deity in the visible creation, fully declaring, at the same time, the absolute necessity of a better guide.—Yet, in its best and most en-

lightened stage, natural theology will always tend downwards, and exert a most unsalutary influence. The guardians of truth will be cajoled to surrender the integrity of the sacred volume: and to accept the sophistries of earthly wisdom as an adequate compromise. It will prompt them to prophesy smooth things, in order to purchase a hollow truce from those who despise the law of the Lord. It will never suggest any dependable principle of self-restraint, any enduring sense of goodwill towards men, or any abiding determination to uphold the glory of God on high. It offers no example, denounces no threats, promises no rewards."

"Natural theology is entirely founded upon vain curiosity and profitless speculations concerning the intentions of God. Revelation commands us to submit implicitly to his will as an inscrutable mystery.—The more the empire of man is extended over nature, the more should we endeavour to diminish the temptations inducing him to live by sight and not by faith: and thus withdrawing his dependence upon the Lord of Spirits, and substituting his earthly idol for the Father of Heaven."

"But,"—said Marco,—"do you not act with

singular inconsistency in thus expatiating upon the evils resulting from science: and yet, by example and precept, advocating its cultivation?"

"It is you who are not attentive, and who give to my words a meaning wholly alien to their import. I am perfectly consistent,"—replied Bacon,—"I merely place the human intellect in due subjection to Him from whom all good gifts and all perfect gifts are alone obtained. Man may pass the torch of science from hand to hand: but he must always recollect that the light is darted from above; he cannot steal the sacred fire; he can receive nothing except it be given from Heaven."

"All true knowledge is, in its degree, revelation. I speak the word neither lightly nor unadvisedly; but with a careful hope that I shall not be misconstrued. All created things are equally beneath the appointment of God's overruling power. The living soul was breathed into us by the Lord of Hosts: and He who gave us our intellectual being, directs its operations at His will, and in conformity to the scheme which operates during all eternity. There is no medium whatever between the admission of that particular providence which applies itself to every atom of matter and to every

energy of spirit, and the total rebellion against the Divine supremacy."

"Carried to such an extent,"—said Marco,—"does not this doctrine render man a mere machine, the passive instrument of unyielding destiny? If we thus deprive man of all power of judgment does he not cease to be responsible?"

Bacon paused, and then spoke.—"Could you suppose,"—said he,—"that I was unprepared for this difficulty? It is one from which we never can escape. Fully do I admit that it is utterly impossible for human intellect to comprehend how the uncontrolled free will of man, the power of judgment of right and wrong, the liberty of action whereby we are rendered responsible and accountable beings, can be coexistent with that foreknowledge which belongs inseparably to the Sovereign and Creator of the universe. Yet we all admit, without argument, a doctrine which no argument can embrace. It is a mystery of which we are sensible, in every moment of our lives. Every human being is coerced to feel, that, whilst he possesses the unfettered power of choosing his own path, he never does choose any path, excepting that by and through which God works the fulfil-

ment of his decrees; and that though man is bound to use all means appointed for good, whether physical or moral: nay, that it is sinfully tempting God to abstain from them, yet that none can or will succeed, except by the permission of the Almighty."

"With respect to the peculiar application of this doctrine to the subject upon which we are now conversing, the control and direction of human knowledge, I would ask you whether you admit that such a dominion as that possessed by the Romans was otherwise raised up than by the Divine hand?"

"It were worse than heathenism to deny the truth, to which the conscience of the Gentile bore a willing, a joyful testimony. Never did Pagan Rome refuse to confess, that the fortunes of the Republic were to be ascribed to the protection of the tutelary Deity."

"And by what secondary and human means," —said the Friar,—"do you suppose that their conquests were accomplished?"

"Amongst the most prominent causes,"—said Marco,—"I should place the excellence of their military discipline, their proficiency in the use of

arms, the dexterous vigour with which the Roman soldier urged the thrust of his keenly-pointed glaive. If they invaded a foreign land, the Roman camp was surrounded by those ramparts which yet, even in this remote island, testify the science of an Agricola, and the unwearied diligence of his legions.—Whether in attack or defence, how assiduous was the skill of the Romans, displayed in the mechanism of the machines employed by them in beleaguering town and tower. The balista hurling the rock through the air; the catapult sending forth the mighty shaft!—In all these arts of war, we see the elements of the power which enabled them to lord it over the subject world."—

"Supposing the art of metallurgy had not been known, could the Romans have acquired their universal Empire?"—

"Surely not. The unaided strength of man could never enable him to create such a military power as would sustain the sovereignty. Unclothed in armour, destitute of shield, sword, or spear, the individual strength of the naked Savage might have qualified him to gain the mastery over his immediate adversary; but he never could have so

learned to combine his strength as to produce the marshalled host, which is indispensable for maintaining an extensive dominion."

"And thus,"—said Bacon,—"you arrive at once at the conclusion, that the Great Monarchy, foredoomed to be the turning-point in the destinies of human kind, was founded by the science of the first cunning worker in metals, to whom the knowledge of smelting the dull ore was revealed.—Do you really give credence to the prophecies of Holy Writ?—Are you really a believer, admitting the prescience, which when the Seven Hills were covered with tangled forests, saw the nation of fierce countenance, and beheld the Eagle raised against the walls of Jerusalem ?—You are:—and how can you then at the same time deny that the same prescience operated with equal force, when the first Artificer in Brass and Iron was taught the lesson through which alone the Romans were to subdue the vassal nations? The designs of God are not partial and successively developed, but perfect in all eternity. Like himself they constitute a unity. You cannot strike out any one link of the golden chain connecting earth and heaven.

"Intellect advances in man as it pleases his Creator. Little can be hazarded by conjecture, even when we reason upon constantly recurring probabilities, respecting the capabilities of improvement in any branch of human knowledge or science. But in nowise can the march of intellect be directed by any sovereignty of the human will. Accidents which no human being could foresee, opportunities which no human power could create, contingencies which no human ingenuity could arrange, have ever led, and will always lead, to the inventions and discoveries marking the progress of the generations of Adam. The conceptions destined to influence the whole frame and substance of human society, are merely a cloud of witnesses bearing the clearest testimony that all the powers of the human mind are under the perpetual guidance of Him, who is about us in all our ways."

"Yet these truths do not in any manner check us in our attempts to obtain intellectual improvement;—on the contrary, they stimulate and spur diligence. They afford the most lasting encouragement, because they teach us to rely upon everlasting strength.—Employ to the utmost of

thy ability the gifts which God bestows: use them in gladness and confidence. Tokens of His free grace, from Him they receive their efficacy and their power.—Sow thy seed boldly with an unsparing hand, but humbly ask of Him the increase. Repine not if the harvest be delayed: it may not come to maturity until the bones of the husbandman are decaying in the grave; but, if the produce be granted, then bring before the Lord the fruits which, from His bounty, thou hast received."

"Labour in the cause of science, strive to diffuse human learning, not as if our faculties were bestowed upon us merely for our own pleasure or pride, but with the humble hope of being enabled to act as faithful stewards, in the due employment of the talents received by human kind for the service and glory of God.—Failing to do so, our knowledge, however specious its pretensions, however noble its aspect, however graceful its form, will be defeated in all its objects; and draw down upon the unprofitable servants who have perverted the good gifts of the Almighty, the inevitable retribution of misery, destruction, and despair."

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Every review of the progress of the human

race, affords the most clear and cogent exposition of the truth, that "the history of inventions," can only be considered as exemplifying the particular providences and permissive dispensations by which the whole universe is ruled. Yet this acknowledgment of God's active power is not in accordance to prevailing opinions: and those who propound the doctrine are almost sure to be encountered by the trite Horatian maxim that the Deity is not to intervene unless the knot be worthy of the Deity.

It might not be unimportant in the study of ethics, to consider how much harm has been done by popular adages and common-places:—how much selfishness may have been strengthened by the proverb: how many a falsity, sanctioned by the current stamp of a familiar quotation, may have been received as unquestionable truth and sound wisdom.—In this instance, however, the Heathen at least is guiltless of the false lesson which his lines have been made to convey. And it is really difficult to understand how the instruction, not inappositely or unreasonably imparted to the dramatic poet, could ever be applied, even by the mere nominal believer in revelation, to the

highest destinies of mankind.—How can we utter such a thought?—We repeat amongst the holiest of truths, that the sparrow falls not to the ground without the decree of the Almighty; and do we suppose at the same time, that there can be a single incident in the immutable system of causation, independent of His eternal will?

It may appear strange, that, whilst few can be found sufficiently irreverent to deny openly before men that the temporal affairs of the world are under the direct guidance of God, and that empires rise and fall by His behest: still fewer are sufficiently bold to confess before men, that the empire of mind is equally under His control.—But is it not the same "God blessed for ever and ever," who "removeth kings, and setteth up kings," and who "giveth wisdom to the wise, and knowledge to them that know understanding." Are those whom He permits to become the intellectual rulers of mankind independent of Him, who, from his throne, beholds all the dwellers upon earth? If we inculcate the pursuit of science and literature, upon the assumption that the powers of natural reason are independent of religious light, we virtually deny the supremacy of Providence.

This error—so injurious in its practical consequences—is occasioned, in great measure, by our constant habit of considering the history of the religious teaching of the mind, as not merely separable, but in fact separated, from its intellectual instruction, whilst if we admit the one, we shall find that the other is, in fact, identical.—Let us simply consider the application and tendency of the art of writing, the only means of cultivating knowledge, whether precise or speculative. Writing is the corner-stone of the fabric upon which the whole structure of inductive science depends. I will not ask when or how this art became known to man, nor propound the suggestion, plausible, if not conclusive, that all alphabetical characters, however apparently varied, result only from the modifications of one type. But, waiving these inquiries, we possess the most certain and indisputable evidence, that in the order prescribed by Providence with respect to fallen man, the means destined for the preservation of divine truth and for the progress of human knowledge, have been inseparably conjoined.

Had this art of speaking to the eye been concealed from man, had letters not been known,

the Bible could not have existed. Had not the writing of God been graven upon the Tables, His commandments, even under the theocracy of Israel, could only have been preserved authentically by a perpetual miracle. The absence of written characters would have necessitated a constant effusion of the Holy Spirit for the transmission of divine truths. Had not writing been imparted to us, then all doctrine must have been oral and traditionary: and, writing being absent, how could religious knowledge have been defended against alteration and corruption? God's word could not have been intrusted to the natural and unaided memory of man; either our faculties must have been totally altered, for the preservation of the lessons of salvation, or it would have been indispensable that an unbroken succession of inspired Preachers should have been raised up, from time to time, from generation to generation, and from age to age. Prophet must have been the disciple of Prophet; Apostle the immediate forerunner of Apostle.—When tempted, we could not have answered, "It is written;" when seeking comfort, we could not have been told, "It is written."—Holy *Scripture* could not have been given for our

instruction: and the whole scheme of revelation must have been totally changed.

In the cultivation of the human intellect, the first lesson is thus sent forth from the Holy of Holies. The whole rich banquet of human knowledge is composed of the crumbs which have fallen from the table of the Lord. All the records and memorials of literature and science are secondary and derivative: and exist merely because it pleased God that we should continue to learn His will from the Divine Volume, after the bodily presence of the Teachers who declared His truths had been withdrawn: and, pursuing the question onwards, we shall still find that the further improvement of intellect proceeds from a source above human control.

Consult the annals of human intellect in every branch and gradation, and they will afford the testimony, not of its own strength, but of its weakness, unless when raised up by influences wholly beyond the sphere of human power.—Is it possible by any artificial treatment of the mind to make a true poet? Experience has fully convinced us that neither example nor education, neither the refinements of civilized life, nor the energetic rudeness of the nomade, can of themselves bestow the

talent.—Who ever doubted but that the Poet must be born?

If we view the whole laureated band of real poets who have existed since the beginning of the annals of civilization, how very small is the unfilled Vessel in which, as they float down the stream of time, all those who deserve that name have, as yet, embarked. The predicate of the true poet is equally true with respect to all the other creative talents imparted to the human intellect. Their possessors cannot be made, they must be born. Man cannot cause their developement.—Perhaps, even more rare than true poetical power is mathematical talent, in that its highest excellence, resulting from the union of consummate subtlety of thought and patient labour.—Still more rare, is "the genius which divines the general laws of "nature, the reasoner who, for the first time, "seizes the principle which connects phenomena "before unexplained, and thus adds another ori-"ginal truth to our knowledge of the universe."

Reckon the possessors of these talents as they appear in the whole history of our species, how scanty is their number. How remote are the periods in which those men have been raised up

by whom any material step in general knowledge has been gained. Such an acquisition is reserved alone for those who have been gifted with a clearness of ideas, wholly withheld from the average scale of human intellect, and who have been enabled to apply these ideas vigorously and distinctly to ascertained facts and exact observations. And unless these men are called forth by providential destiny,—for no normal process, no activity of thought, no external circumstances, can form such characters,—the process of intellect by which facts become science, is wholly unknown.

No preconceived study, no cultivation of the intellect, ever has forced the production of the qualities of the mind thus constituting the great discoverers of abstract truths.—Equally independent also of study, or the coercion of human direction, are those peculiar external and internal incidents concurring in the formation of the practical inventor, unfolding to him the application of those powers of material nature which have produced such wondrous changes in the whole condition of human kind, discoveries altering the physical condition of man, and affording the instruments whereby his intellectual progress is

effected, and the vehicles in and by which the mind proceeds. No mode of reasoning can point out the cause, why the Roman, viewing the insect magnified through the globular crystal, and the landscape diminished in the concave gem, should have failed to discover the microscope and the telescope. The attractive virtue, and the polarity of the magnet, might have been equally revealed, or equally concealed.—The whole theory of the steam-engine, every contrivance or machine, depending upon the elasticity of the air or the vaporization of the fluid, came within the grasp of the philosopher of Alexandria, and of those by whom his works were possessed in a later age.

Can the annals of technological history afford satisfactory proofs that any one of the great physical inventions which really constitute eras in the history of intellectual or social civilisation, has been produced by the strict analogical inductions of reasoning?—Once opened, the mine has been more and more worked, deeper shafts have been dug, and easier methods discovered of raising the precious ore: yet, not by the skill of the scientific metallurgist, but by the chance footsteps of the herdsman, the first discovery of the hidden source

of wealth was made.—Much has been improved, facilities have been gained, powers have been extended, further contrivances happily applied; but we shall be compelled to confess, that in almost every case,—I may say all,—for though there may be exceptions, none are intelligibly recorded,—all great inventions seem, in their first impression, to have been independent either of volition, or of intellectual excellence. They have proceeded from sudden conceptions, descending, fully formed, as from the empyrean world of archetypal ideas, flashing upon the mind without previous investigation. Strangely, unexpectedly, unbidden like a dream, the irradiation excites surprise in the very individual to whom the thought has been imparted, and who, when considering the invention, experiences, like Watt, not the pride of possession, but the pleasurable sense of novelty, which arises from the first contemplation of the results of the discoveries of others. And the inventors, unassisted by the results of practice, or by the lights of education, display nought but the guidance of an unseen power. And why will Intellect refuse to learn humility from her own annals? The Chemist promises with exulting confidence to apply

his knowledge for the benefit of the Navigator, and to give him a new ocean triumph. The vessel, covered with the combinations of zinc and copper, whose galvanic action is to defeat the corrosive properties by which the metal is consumed, sails gaily from the port: and returns heavy as a drifting log, the keel a mass of zoophytes, scarcely able to drag through the waves. Planned according to the strictest deductions of science, the "safety-lamp" is held up as the proud trophy of philosophy rendered subservient to practical utility. It constitutes the theme of the essay, and the subject of the speech; and is flung aside by the workman, who finds he dare not trust its uncertain aid.—Such are the results of the reasoning powers, as applied for the purposes of discovery by him who was amongst the most gifted of our generation: and who finally earned no other meed from the world's friendship except the cold sympathy of funereal praise, when, a disappointed exile, he wasted into the tomb. Contrast these total failures with the illumination which nightly pervades our metropolis. Ask who planned the tubes and the receivers, feeding the cressets, from whence proceed the rays which, reflected

from the aërial canopy, envelop the distant city in preternatural dawn.—Seek the inventor: and you must decide between the claims of an obscure manufacturer, and a still more humble adventurer, whose name has no other record except the insolvents' register in the jail. From the simplest application of the mechanic arts to the most complicated, from the lever and the wedge, to the printing-press and the steam-engine, we have, if we attempt to deduce their origin, no choice between the atoms of Epicurus, and the confession, that all the crafts, contrivances, and endowments of man, are the free gifts of the Almighty: and, as it pleases His infinite wisdom, imparted or permitted, restrained or withheld.

It is, I believe, a popular doctrine, that the condition of mankind is, of necessity, progressive. —Mind,—it is assumed,—will inevitably gain its victories over mind. Human intelligence commands, and we are advancing in the career of intellectual improvement with irrevocable force and accelerated rapidity.—Such appear to the collective and theoretical aspirations of the European society of literature and science.

Are we consistent?—The individual and practi-

cal expectations of mankind are much more calculating, cautious, and composed.—Adventurous as the merchant may be, the richest Capitalist upon the crowded exchange does not feel certain that his prosperity will be continuous. He is fully aware that correspondents may break, prices fall, banks fail, and that the utmost diligence and integrity cannot infallibly protect him even from beggary.—No Student, however enthusiastic, is so arrogant as to predict for himself an indefeasible advance in his professional career. He looks around him, and views one companion whose bodily health has yielded to labour: another, whose mind has proved unequal to the task: many, who, with all physical and mental advantages, have never been able to launch in the flowing tide of fortune.—Was a General ever so fool-hardy as to believe that he could chain the winged Victory to his standard? He knows too well that the treachery of the friend, the sagacity of the enemy, the heat of the summer's sun, the storm and tempest of the winter's sky, may defeat the best-arranged plans of strategy.—No man of common sense rejects, in the anticipations of his individual futurity, those haps and hazards, those

chances and changes, which, in the world's false language, we call accident or fortune.

On what reasonable ground can we refuse to admit the same qualification of our hopes, the same damp upon our expectations, in our estimate of the prospects of science?—Without disputing the assertion, that the resources of knowledge are inexhaustible, the history of technology itself incontestably proves the fact, that a continued progress does not in any respect follow inevitably from the relations or nature of man. And how should it? —Intellect is not an independent formation.—Our intellect is not detached from ourselves. The exercise of intellect is in all respects directed and controlled by every other of the secondary causes involved in the physical and moral relations of the world. Man, mysteriously compounded by the alliance of body and soul, is himself only a part of the Macrocosm, holding the specific place appointed for him: and the Immaterial Principle is always compelled to acknowledge the fetters of matter in and amongst which she moves.

For the successful prosecution of science, the well-being of the community to which the Philosopher belongs, is an indispensable condition.

Prosperity does not necessarily promote the advance of science: but scientific advance is inexorably linked to mundane prosperity. Commercial opulence brings together the collections in which the Naturalist alone finds the materials for his systematic knowledge. The munificence of the Ruler enables him to endow the Academy or the Institute. Wealth is piously employed in the foundation of the College: or, expended in social luxury, imparts its powerful impulse, alluring the Philosopher by the promise of its distinctions and enjoyments.

But, let the decree go forth, and the whole material foundation of science is destroyed.—Poverty strikes the city of royal merchants, her pleasantness is laid waste. The treasure-house is empty. Plague and pestilence taint the gale in which the destroying angel waves his sword. The festive hall is desolate. War is let loose, rebellion triumphs. The cannon-shot beats down the museum, the murderous shell falls upon the observatory: the seats of learning are despoiled. In these darkening periods, when the ancient forms of society break up, the minds of men are always equally affected by the change: nay,

even the disquietudes which are the harbingers of political convulsions, produce the same effect. The blossoms are blighted whilst the clouds are gathering previous to the howling of the storm. Energy of thought is succeeded by servility: clearness of idea gives place to obscurity of conception. Steadiness of intellectual action vanishes before confused conceptions and rhetorical declamation; and, together with the State or Empire in which science has been fostered and cultivated, the whole fabric of intellect declines and falls.

Periods are discernible in which some branches of the acquirements termed science and literature, for we cannot separate them, have received great advances: yet, in the sum total of the annals of the human race, in the whole history of human cultivation, eras of progression form only the very smallest part. Without designating them as exceptions from a general rule, they nevertheless bear the character of sudden developements, offering facts in total opposition to what may be termed the mechanical theory of intellect.

The physical powers of man continue undiminished, the formations of the human body continue unaltered. Nerves do not lose their ancient

powers of sensation: the fibres of the muscle always retain the same irritability. Our organs act as they have always done. But the very short and transient epochs during which, in the estimation of the philosopher, science has continued progressive, are divided from each other,—and in the most overwhelming proportion,—by periods, when science becomes wholly stationary, some of the most marked intellectual faculties seeming at the same time to be in abeyance, or wholly lost.

No psychological theory, grounded upon the assumption that intellect acts by mere human relations, can solve the phenomena thus exhibited. Nought but perplexity shall we encounter, until we prostrate our reason before the Sovereignty of the Almighty. The same Revelation which forbids us from vainly speculating upon the mysteries of Divine Providence, has plainly pointed out the course pursued by the Legislator of the universe. Races and nations receive their rewards and judgments collectively: they are collectedly favoured and punished: they are made collectively responsible, and are dealt with in their generations as though they had an individual existence.—With man, there is no present time. Before we can

think the thought, *this* moment is lost in the ocean of all precedent eternity.—With us, all is either past or future. With God there is no succession, —all is present.

So far as human knowledge is useful, every appearance justifies us in the supposition, that these apparent seasons of barrenness may be conducive, nay, necessary, for the real improvement of mankind.—He, from whom the intellect emanates, who views at once the source and the termination, equally exercises His Wisdom in determining the course of the stream, whether it flow through fertile pastures or through desert sands. Alternations of quiescence and activity constitute the order of animated nature.—Fallow foreruns the plough, sleep prepares for labour, night brings on the day. And in the same manner it may be needful, that during given periods, particular faculties of the human mind should remain unexercised, in order that they may afterwards awaken with greater impetus and vigour: and that other faculties may also in the mean while be employed in preparing the means for future exertion and utility.

Attempting to analyze the course of events, we

may admit that there was a peculiar fitness in the mental powers of the mediæval period, when considered as introductory to our own. Stationary as the middle ages may have appeared to be with respect to some of the faculties of the intellect, others were exhibited in full and beneficial activity.—There may have been a deficiency in originality of conception. The voluminous writers who then flourished may have been mere servile imitators: but this servility disposed them to diligence, and the Monk who dared not assert a truth, or entertain a doctrine unsanctioned by his predecessors, became the instrument of preserving the relics which we now possess of ancient literature and science. Had the learned men of the middle ages been more ambitious, had they disdained the task of the commentator and the copyist, the whole text of sage and philosopher, of poet and historian, would have been lost.

Judged by our modes, they reasoned vaguely and inaccurately.—But what are the ample possessions of modern science but an inheritance derived from them and cultivated through the results of their practical observation and practical skill?—They were set to work for us, in order

that we might think for ourselves.—Had not the alembic of the swart Adept produced the solvent, how could the voltaic pile have received its energy, and the highest generalisations of chemical science have been attained?—No mechanical principle, unknown to Archimedes, may have been displayed in the printing-press; but if the invention of the printing-press had been denied to them, so must of necessity our modern knowledge have been deprived of its universality and diffusion: for to this discovery, is all the wide-spreading civilisation of the present day to be ascribed.—They were dogmatic and servile: yet they were enthralled in order that we might acquire freedom. Schoolmen arose, ignorant of the apparent truths of physics, incapable of conceiving their nature: but in the very seminaries which these men instituted, was created that system of practical teaching, proved by experience to afford, at the present day, the best discipline to the human mind.

The intermission of the visible evolution of peculiar energies of mind in particular periods, is therefore entirely compatible with the general improvement of collective humanity. But, should it be proved, that at any period the human mind

has been visited by a real degradation and torpidity, or by an unquestionable diminution of its more exalted faculties, may we not also reverently and humbly ask the question, whether any progress of our intellect, for good, can be expected, if, refusing to retain God in our knowledge, we resist His guidance, and strive against His will? —Is it not accordant to His known dispensations, that if the power bestowed by Him upon us be abused, the gift should fail?—Surely the employment of those mental endowments, so emphatically termed *talents*, involves as much responsibility as the disposition of the worldly possessions, constituting the elements of temporal prosperity.

The application of our intellectual faculties for the purpose of satisfying the mere natural curiosity of the mind, cannot in anywise be distinguished from the expenditure of our riches for the gratification of the mere natural appetites of the body.—We are bound to honour the Lord with our substance: can it be less imperative upon us to honour him with the infinitely more precious gifts of the soul?—Undue indulgence in the more gross inclinations of our corporeal nature,

tends to sink man beneath the earthly level providentially assigned to human kind. Undue indulgence in the more refined desires of the soul, not less corrupt, when unrenewed by God's Holy Spirit, than the infected heart, deludes man into the belief, that he already belongs to a higher sphere than that which is now his own. Placed by the will of his Creator a little lower than the Angels, he attempts to rush into the sanctuary, where the fiery Seraphim cover their faces before the Glory of the Most High.

What is then our duty?—Sobriety and vigilance.—Depreciate not the marvellous powers of the human intellect; they proceed from Him, to whom the fulness of the universe belongs. Worship them not; because they were lent to us for His service. Cultivate them most diligently, for sloth is sin; yet let our moderation be known in all things.

In the present state of intellectual advancement, when new subjects of inquiry display such glittering and cheerful variety and splendour, there is the greatest danger of our being tempted to refuse that service which God demands, of not always thinking our own thoughts, nor always speaking

our own words, nor always following our own ways.—He warns us to obey the obligation of entering into His rest, constituting not the open and hebdomadal, but the secret and daily sabbath of the soul: and if we fail to honour Him in delight, may we not fear that He will be honoured in His vengeance until the word of desolation be fulfilled?

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